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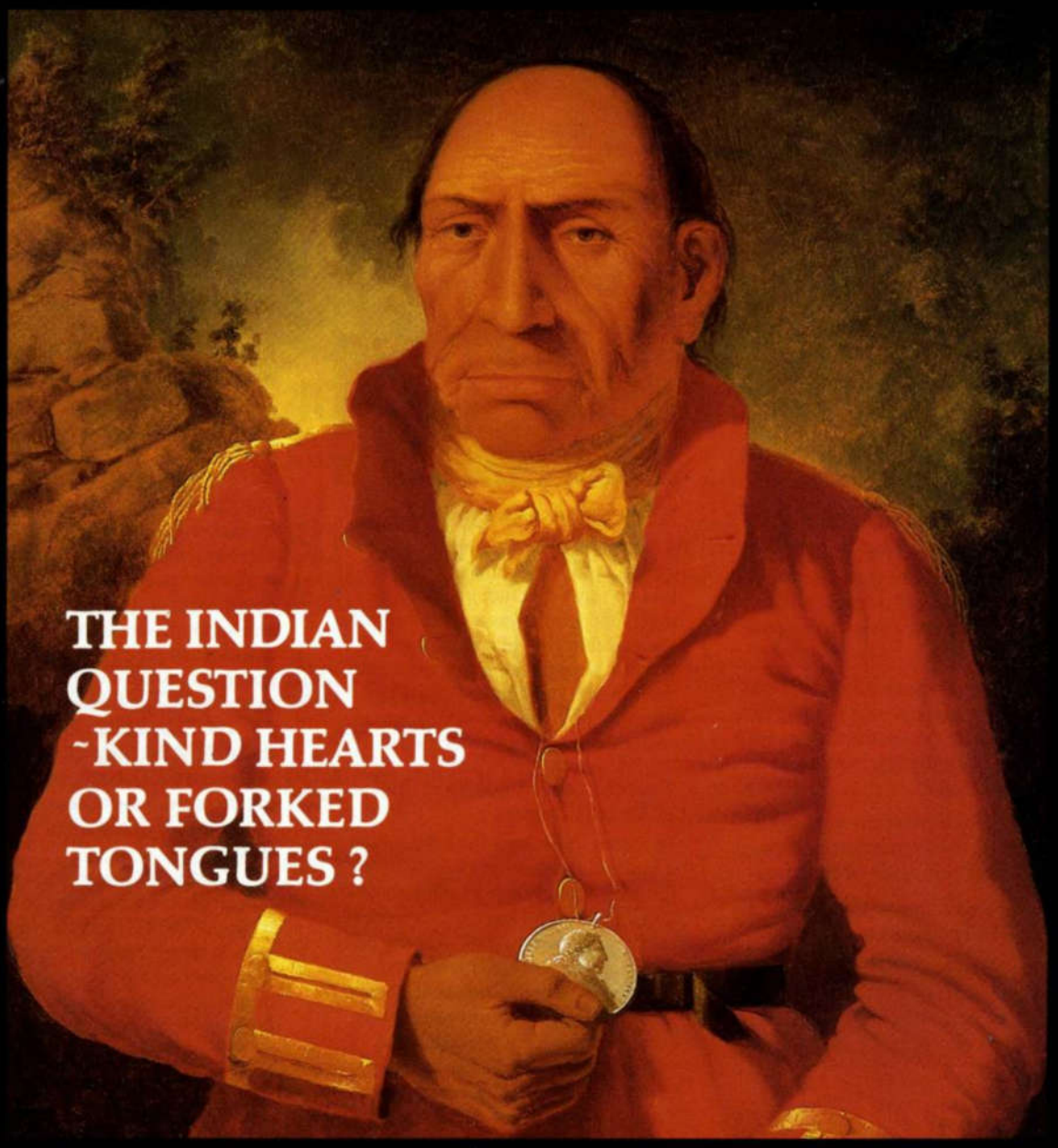
The Beaver

EXPLORING · CANADA'S · HISTORY



THE INDIAN QUESTION -KIND HEARTS OR FORKED TONGUES ?

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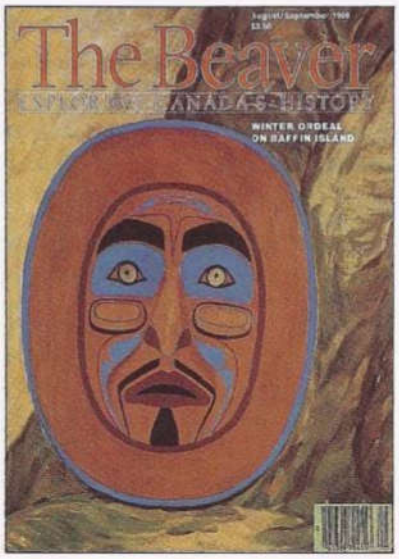

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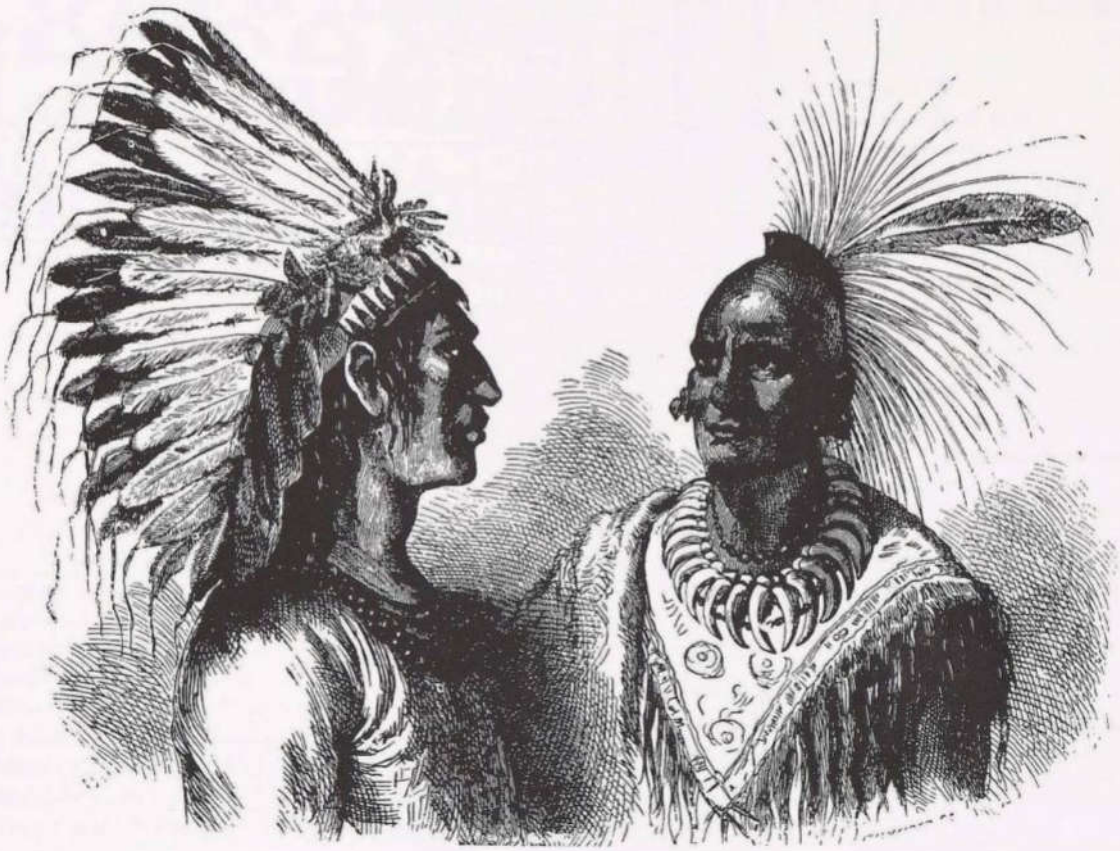


ABORIGINAL RIGHTS A CENTURY AGO

By Donald B. Smith

The St. Catharines Milling Case of 1885 Hardened Attitudes Toward Native Land Claims

The Conservative speaker had just explained to the House of Commons the federal government's new Franchise Bill. Among its provisions the Bill proposed extending the federal franchise to all adult male Indians, living on — or off — their reserves who had an income of $300 a year or more. Never before had the vote in federal elections been given to status Indians. On that day, 30 April 1885, David Mills, the former Minister of the Interior under the Liberals, continued with his interrogation. Point-blank he asked the Conservative:

Mills: "This will include Indians in Manitoba and British Columbia?"

Conservative: "Yes"

Mills: "Poundmaker and Big Bear?"

Conservative: "Yes"

Mills: "So that they can go from a scalping party to the polls . . ."

The context should be noted. The ruling Conservatives had first introduced the Bill on 19 March. Only one week later the Métis under Louis Riel had clashed with a group of about one hundred Mounties and volunteers in the South Saskatchewan River Valley. At Duck Lake, the Métis had won, killing twelve Canadians, including Skef Elliot, a Prince Albert lawyer and first cousin of Edward Blake, the leader of the federal Liberal Party. The North West Rebellion had begun. Within days the federal government rushed 3,000 eastern militia men westward, to Qu'Appelle, and later to Swift Current and Calgary. More distressing news followed. The Cree Indians of Poundmaker's band had surrounded the town of Battleford. Then, on 2 April, the Crees in Big Bear's band rose, killing nine whites at the tiny settlement of Frog Lake, a hundred miles northwest of Battleford. On 24 April the Métis themselves had held the Canadians on their way to Batoche, the Métis headquarters, to a draw at Fish Creek. In the House of Commons on 30 April 1885 feelings against giving the Indian the vote ran high.

On 4 May the same Conservative speaker who had defended the Franchise Bill on 30 April again took the floor. Just two days earlier the Canadians had suffered another major reversal. Poundmaker on 2 May had defeated Colonel Otter and his column at Cut Knife Hill west of Battleford, the Canadians losing eight men and being forced to retreat. Now the Conservatives as well yielded some ground, this time to the Liberals. The western Indians would not obtain the federal franchise, immediately — instead, in the beginning only those Indians in the eastern provinces who met the property qualification, on the same terms as enjoyed by the white population, would obtain it. Not satisfied by this partial retreat, the Liberals kept up their attack.

The Conservative member's stand, in hindsight, was courageous in the face of continual jibes and taunts from the opposition. The Conservative speaker, whose own son marched in the column against Batoche, had as much reason as any other federal politician for seeing the Métis and Indian resistance crushed. Yet, as he said in his remarks on 4 May, justice demanded that the Indians receive the franchise:

> . . . here are Indians, aboriginal Indians, formerly the lords of the soil, formerly owning the whole of this country. Here they are, in their own land, prevented from either sitting in this House, or voting for men to come here and represent their interests.

The Conservative speaker's call to give the federal vote to the Indian becomes all the more remarkable when his identity is revealed. In the spring of 1885 this distinguished politician, a veteran of over forty years of Canadian politics, filled two portfolios. He served as the Superintendent General of Indian Affairs, and also as the Prime Minister of Canada. John A. Macdonald would later term the enactment on 4 July 1885 of the Electoral Franchise Bill, "the greatest triumph of my life." It would, in his opinion, help undo the injustice done to the Indians, who in his words, "have been great sufferers by the discovery of America, and the transfer to it of a large white population."

Other surprises follow if one closely examines the prime minister's involvement with other Indian matters in 1885. Through D'Alton McCarthy, a prominent Ontario lawyer — a man whom he had tried to entice

This article was originally presented as a paper at the fifteenth Western Canadian Studies Conference, "Western Canada in the Era of the Rebellion", at the University of Alberta, Edmonton, November 1985.

Ontario Archives

Oliver Mowat: Fighting for Ontario.

(unsuccessfully) into his cabinet as his new Minister of Justice in 1884 — the prime minister endorsed a theory of Indian land title, that seems most unusual for a man frequently remembered today as the "murderer" of Louis Riel, and the supreme oppressor in 1885 of the Plains Cree and Métis. D'Alton McCarthy and the prime minister championed an interpretation of Indian rights, which, if recognized today, would give the Dene in the Northwest Territories, and all other Indian groups living on unsurrendered lands, considerable control over their homelands.

As late as a century ago Canada had no legal statement on the nature of Indian aboriginal land rights. One of the first legal definitions was arrived at in the St. Catharines Milling, or Indian Title Case, which first reached the courts in the year of the North West troubles of 1885. The case arose from the long-standing dispute between Ontario and the federal government over the proper location of the province's northwestern boundary. Article 6 of the British North America Act had assigned the province the same territorial limits as the former Upper Canada, or Canada West, but it did not specify what these boundaries were. Before Confederation the Government of the Canadas had contested the claims of the Hudson's Bay Company to possess all the lands drained by the rivers flowing into Hudson Bay and Hudson Strait. The Canadians had argued in the late 1850s that the Canadas had inherited the western claims of the French Crown, those based on the discoveries of French explorers like La Verendrye. When the new Dominion of Canada purchased the Hudson's Bay Company's lands in 1869, and created in 1870 the province of Manitoba — then only the small area around the Red River Settlement — the boundary between the old territories of the Hudson's Bay Company and the new province of Ontario still lay undefined. The boundary negotiations which began in 1871 between the federal government and Ontario quickly broke down the following year.

Upon becoming the new Liberal premier of Ontario in 1872 Oliver Mowat found the provincial government seriously involved in this western boundary dispute. It appeared to Mowat, as it had to Edward Blake, his Liberal predecessor as premier, that the federal government wanted to pare down the size and influence of Ontario, denying it ownership of territory that rightly belonged to it, and which would increase its power and influence in the new Dominion. At the very least, Mowat argued, Ontario's boundary should run due north from the source of the Mississippi, slightly west of the Lake of the Woods. Until its electoral defeat in 1874 the Macdonald government had held that the boundary should be drawn near Port Arthur, on Lake Superior. A board of arbitration, however, set up in 1874 by Alexander Mackenzie, the new Liberal prime minister, accepted in 1878 almost all Mowat's claims: the western boundary should run due north from the northwest angle of the Lake of the Woods to the English River, then along the Albany River to the shore of Hudson Bay, and then follow the shore to a point north of the head of Lake Temiskaming. Ontario appeared to have doubled its territory, winning 110,000 square miles of territory, but the last word belonged to John A. Macdonald. The Dominion general election of October 1878 returned Macdonald and the Conservatives to power, and they refused to ratify the award.

In 1881 Macdonald took the offensive. Mowat's fears proved justified. The prime minister wanted to keep Ontario subordinate, and incapable of ever posing a serious challenge to the federal government. The prime minister awarded the disputed territory to Manitoba, thereby introducing that province into the controversy. Since the Dominion continued to control the natural resources of Manitoba this arrangement allowed the federal government to retain the land and mineral rights of the disputed territory, from the Lake of the Woods eastward to Thunder Bay. Despite Ontario's protests the prime minister began to grant land and timber rights within the disputed area. Finally in 1883 — after two years of legal chaos in the area — both

Manitoba and Ontario agreed to submit the issue to the Judicial Committee of the Privy Council in London, the supreme legal authority in the British Empire. Mowat himself pleaded Ontario's case for the vast territories west of Port Arthur, against D'Alton McCarthy, and he won. The Judicial Committee in July 1884 upheld the award of the arbitrators in 1878, fixing the western limits of Ontario at the north-west angle of the Lake of the Woods.

Mowat had won, yet the wily Sir John A. Macdonald refused to yield. Until ratified by legislation the decision was not binding, and despite Ontario's formal request the Dominion delayed implementing the Judicial Committee's advisory decision. The prime minister continued to assert the federal government's claim to the natural resources of the territory awarded Ontario. As he had once stated: "Even if all the territory Mr. Mowat asks for were awarded to Ontario, there is not one stick of timber, one acre of land or one lump of lead, iron or gold that does not belong to the Dominion or to the people who have purchased from the Dominion government." The prime minister based his claim on Treaty Three made in 1873 between the federal government, and the Ojibwa Indians of the area.

In return for (listing only the most important financial considerations): a present to each Indian ($12.00), and annuity to each ($5.00), an extra salary for chiefs and headmen ($25.00 and $15.00 per annum), $1500.00 annually for twine (for fishnets) and ammunition, the gift of tools and supplies, and the promise of schools, the Ojibwa — apart from small areas to be held as Indian reserves, to be set up on the basis of 640 acres for a family of five — surrendered 55,000 square miles of their homeland. The federal position, even after the Privy Council's advisory decision of 1884, remained that the Indians' rights to the natural resources of the Treaty Three area had passed to the Dominion immediately after the treaty's signing.

Ontario refused to accept this federal claim over what it regarded as its own resources. It launched a suit against the St. Catharines Milling Company which in 1883 had been issued a federal timber licence for a tract some twenty miles southeast of present-day Dryden. The Dominion received $4,152.52 for the license, under which the company had cut two million feet of timber. In late 1884 suit was filed in Chancery for ejectment of the St. Catharines Milling Company, and for all damages incurred by its trespass. The Dominion openly assisted the St. Catharines Milling Company to defend its claims. D'Alton McCarthy presented the company's position, and Oliver Mowat that of Ontario. McCarthy and Mowat appeared before John Alexander Boyd, the Chancellor of Ontario, the man who perhaps more than any other judge in Canada had the best background to adjudicate on this important historical case.

D'Alton McCarthy: Macdonald's man.

Born in 1837 and raised in Toronto, John Boyd had received his early schooling at the Bay Street Academy, where his father, a former student at Glasgow University, was the principal. Later his father farmed north of Toronto and taught in a small school in the village of Eglinton. At the age of eleven John entered Upper Canada College, walking a good five miles each day down Yonge Street to the school, and then back that evening to the family farm at Eglinton. At the age of fourteen he temporarily ended his studies and worked for two years in Toronto and in Quebec City — his months in the historic city no doubt deepened his love of the French language, and of Canadian history. Deciding against a career in commerce he returned to Upper Canada College in 1853, graduating in 1856. The gifted student won a scholarship in modern languages to the University of Toronto, where he studied English, French, German, and history.

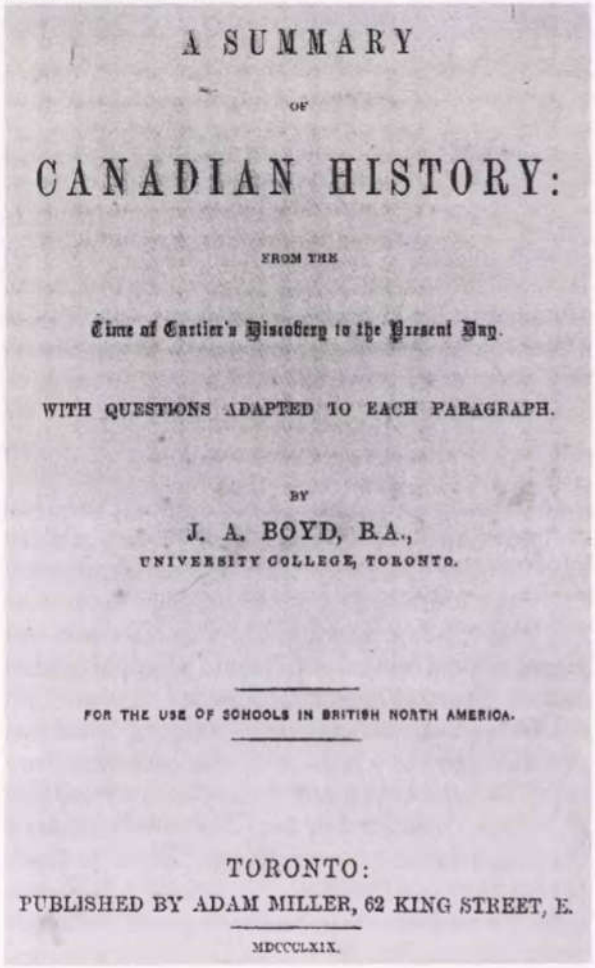
John Boyd did extremely well, winning in his first year the University prize for history, the prize book being *The Historical and Other Works of William Robertson*, duly signed by John McCaul, President of the University, and Daniel Wilson, John's professor (who in 1862 published his anthropological study, *Prehistoric Man: Researches into the Origin of Civilization in the Old and New World*). In 1858 the young man,

then in his second year, obtained prizes for English, French and German literature. Strangely, the university awarded history books to its top student in modern languages: a set of the works of William Prescott: *Ferdinand and Isabella, Philip the Second, The Conquest of Mexico* and *The Conquest of Peru*. John Alexander Boyd graduated as the gold medalist in modern languages in 1860, and received his M.A. in 1861.

The choice of prize books reveals much about current perceptions and images of the North American Indians. William Robertson, who wrote his *History of America* in 1777, believed that the North American Indian had little or no sense of property or of wealth. He was a roamer, a savage living in a savage society, and in a savage environment. Similarly Prescott in discussing the Aztec civilization in Mexico, cited their cannibalism as evidence of a barbarism, which not only explained European conquest but also justified it (Prescott gave no consideration to the significance of the act in the cultural setting in which it was performed).

Just after graduation, John Boyd completed *A Summary of Canadian History: From the Time of Cartier's Discovery to the Present Day*, for use in the schools. Like many others before, and since, he began his text with the arrival of the French, and regarded our past as beginning only with the European's arrival. The approach taken is strictly chronological with questions adapted to each paragraph. The Indians only appear in relationship with the Europeans, and are not mentioned at all after the War of 1812.

Title page of J.A. Boyd's history of Canada, from a copy in the possession of the author.



A SUMMARY

OF

CANADIAN HISTORY:

FROM THE

Time of Cartier's Discovery to the Present Day.

WITH QUESTIONS ADAPTED TO EACH PARAGRAPH.

BY

J. A. BOYD, B.A.,

UNIVERSITY COLLEGE, TORONTO.

FOR THE USE OF SCHOOLS IN BRITISH NORTH AMERICA.

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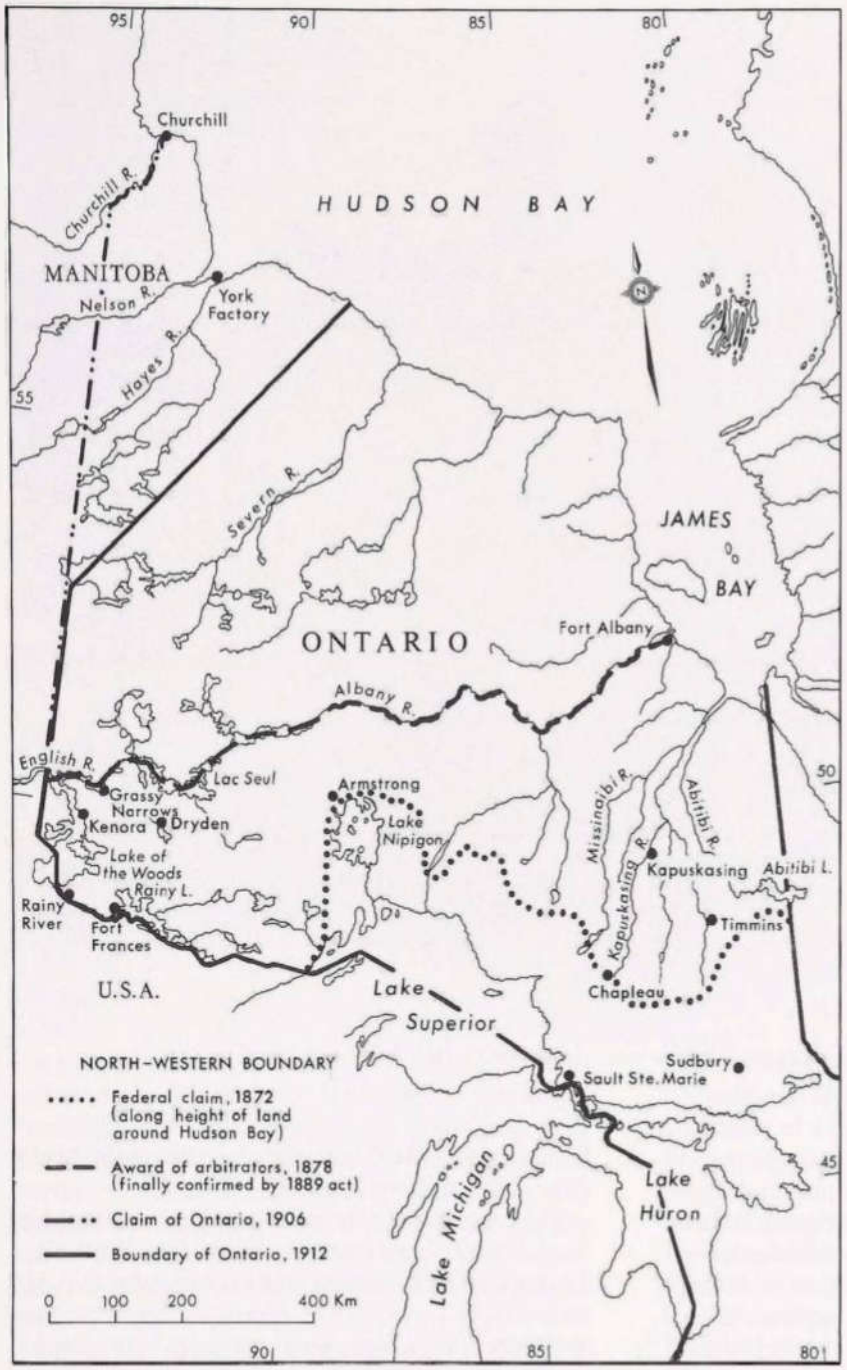
After graduation John Boyd chose law as his future profession and articled with David B. Read, a former mayor of Toronto, and later an historian, who wrote lives of both John Graves Simcoe (1890), and Isaac Brock (1894). Once called to the bar in 1863, John became the junior member of Read and Boyd, a partnership with his former employer. The young lawyer married that same year Elizabeth Buchan, a daughter of David Buchan, Bursar of the University of Toronto, and began his large family, which would eventually number nine boys and three girls. In 1869 he became a partner in Edward Blake's firm, which now became Blake, Kerr and Boyd. He stayed with this partnership until his appointment by Prime Minister Macdonald as Chancellor of Ontario in 1881. The *Canada Law Journal* welcomed the choice: "The new Chancellor is known to all as a courteous gentleman and a favorite in the profession, a scholar of high attainments, an accomplished lawyer, gifted with an eminently judicial cast of mind . . ." Similarly the *Canadian Law Times* praised the appointment as "at once the most popular and the best deserved that could have been made," and described Boyd as "a sound lawyer, of extensive practice and experience."

Chancellor Boyd had served for four years as the President of the Chancery Division of the High Court of Ontario at the time the Indian Title Case reached him. It raised a number of questions: What was the legal scope of the Indians' title? In what ways might native title properly be extinguished? And what was the effect of treaties that ceded lands to the Crown?

The Chancellor, at least if his *Summary of Canadian History* is taken as the sum total of his pre-existing knowledge, did not have a great knowledge of Indian matters before the Indian Title case began. In Toronto (population nearly 200,000) he would hardly, if ever, have encountered Indians. A band of two hundred Mississauga Indians had lived on a reserve bordering Toronto until 1847, but in that year Chief Peter Jones and his people had moved from the Credit River to the Grand River about 100 miles to the west. The nearest reserves — after 1847 — were on Lake Simcoe roughly fifty miles to the north, and Lake Scugog, approximately the same distance to the east.

John Boyd certainly, though, had met Indians, not in Toronto but on Georgian Bay near Parry Sound. In 1881 the Chancellor had purchased several islands from



ONTARIO IN SEARCH OF A BORDER

the Crown, just west of the Indian reserve at Parry Island. When he and his family went north each summer during the judicial recess, they must have frequently encountered the Parry Islanders out fishing, or berry-picking. Yet, even if he recognized, say James Pegamagabow, Charles Senebah, or Dan Tabobadong by sight, it is unlikely that he knew any of the Parry Island Ojibwa and Pottawatomi Indians well. As *The Canadian Law Times* wrote in its obituary of the Chancellor in 1916; "It could not be said that he encouraged intimacy — indeed he was somewhat reserved in manner..." — Or to quote the *Toronto Star*; "Sir John, while courteous, considerate, and held in general regard, was not known as a 'mixer'."

Suddenly in the spring of 1885 the Chancellor found himself facing two Indian issues simultaneously — publicly The Indian Title Case, and privately, the North West uprising. As soon as the news of the Métis victory at Duck Lake reached Toronto his eldest son, Alex, had volunteered for duty. He had left on 30 March, travelling with his brother, Len, who was so anxious to fight Riel that, according to one account, he had hidden under a railway car seat until the volunteers were well out of Toronto, just to make sure that he

Ontario Archives

Isiah Aissance and family, Boyd's summer neighbours in the Parry Sound area.

would be taken along. On 2 May Alex fought at Cut Knife Hill, and fortunately escaped injury in the skirmish, which had cost the Canadians eight killed and fourteen wounded. In one piece, Alex had re-joined Leonard on garrison duty at Battleford. Although Batoche fell on 12 May, and Riel surrendered himself on 15 May, Poundmaker and Big Bear still remained at large when the St. Catharines case began.

On 18 May Oliver Mowat and Walter Cassels (for the province), and D'Alton McCarthy and A.R. Creelman (for the St. Catharines Milling and Lumber Company) appeared before the Chancellor. All present — on a general human level — shared one concern: that the North West Rebellion, now that Riel had been captured, would soon reach a speedy conclusion. Over the course of the last month the firm of McCarthy, Osler, Hoskin and Creelman had contributed $25.00 to the Volunteer Supply Fund. Walter Cassels, whose nephew had fought at Cut Knife Hill, himself gave $20.00; and Oliver Mowat and Chancellor Boyd, $25.00 each. (To give a comparison, the value of $20.00 to $25.00 in 1885 was roughly the equivalent of two weeks' wages for a railway labourer).

The court called only one witness: Alexander Morris, the former Lieutenant-Governor of the North West Territories, and Chairman of the Commission that had made Treaty Three in 1873. Morris, currently the deputy leader of the Conservative opposition in the Ontario legislature, recalled for the court the circumstances of the treaty. The government had made two previous attempts to secure it, and on this third occasion, "it was fourteen days before I was able to complete this treaty three." Morris' book, *The Treaties of Canada with the Indians* (1880) was submitted as evidence.

Oliver Mowat, a short, stocky, near-sighted man appeared for the plaintiffs. Many, at their own risk, had underestimated the man, who had already served for thirteen years as the Premier of Ontario and but one year earlier had successfully presented Ontario's case in the boundary dispute before the Privy Council in London. Mowat began; "We say that there is no Indian title at law or in equity. The claim of the Indians

Public Archives of Canada

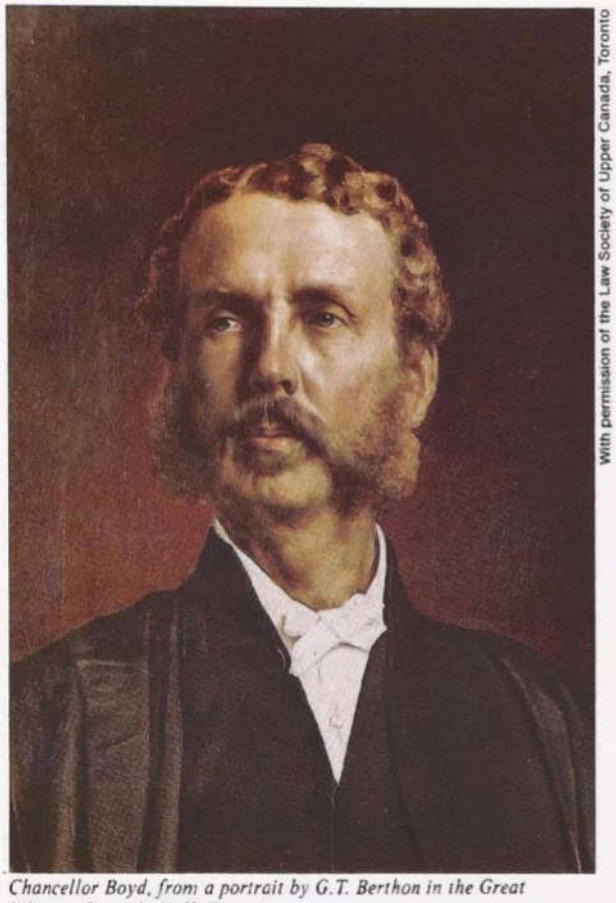
Sir John A. Macdonald surrounded by approving Indians at Oshweken, Six Nations Reserve.

is simply moral and no more." The Indians, in short, had no legal title to their lands. As for the Royal Proclamation of 1763 — often cited as evidence of the British recognition of their title — Mowat termed it merely, "a provisional arrangement" and "is expressly repealed by the Quebec Act of 1774." The Indians had no transferable title, and, he added, after Treaty Three the Crown in right of Ontario owned all the land.

In reply D'Alton McCarthy spoke for the defendants. Physically the Barrie lawyer stood in sharp contrast to Mowat: lean, athletic-looking, with a strong jaw, and piercing dark eyes. He also spoke for the prime minister. As early as February 1885 Walter Cassels had deduced that McCarthy and Macdonald were closely collaborating together, and they had indeed met in January. On 17 February Cassels had written Mowat that the "defendants deny the title of the Province to the lands in question ... I notice by this morning's paper that Sir John intends to claim the lands for the Dominion and I presume this defence is set up in pursuance of an arrangement with the Government."

In court McCarthy, with some assistance from A.R. Creelman, argued that Treaty Three had transferred to the Dominion all the Indians' rights in the land. According to McCarthy and Creelman the Royal Proclamation of 1763 remained very much in force: the proclamation had reserved the Indians' hunting grounds for themselves, and had recognized the Indians' perpetual right to the area's lands, timber, and minerals, until they were surrendered. According to the Royal Proclamation of 1763 the Indians could only sell their land to the federal government. Such a sale, once completed, transferred all Indian rights to the federal Crown.

Chancellor Boyd now had three weeks to consider the respective arguments of both sides. In the interval he still had many court duties to perform, appearing almost every day at Osgoode Hall. At home he also had great family responsibilities, for although his two oldest sons were away, eight other children remained. One is amazed that he had the time to write a judgement, sections of which have received much praise and endorsation by other judges and legal authorities from 1886 to the present day. By the date of his judgement on 10 June, the North West Rebellion had neared its end, Poundmaker had surrendered, and only Big Bear was at large.



With permission of the Law Society of Upper Canada, Toronto

Chancellor Boyd, from a portrait by G.T. Berthon in the Great Library, Osgoode Hall, Toronto.

In his judgement Chancellor Boyd began by citing the benevolence of the British Crown. His readings on the early history of Indian-white relations led him to these conclusions. (As he wrote these lines I wonder if any of the faces of the Parry Islanders flashed through his mind).

> The colonial policy of Great Britain as it regards the claims and treatment of the aboriginal populations in America, has been from the first uniform and well-defined. Indian peoples were found scattered wide-cast over the continent, having, as a characteristic, no fixed abodes, but moving as the exigencies of living demanded. As heathens and barbarians it was not thought that they had any proprietary title to the soil, nor any such claim thereto as to interfere with the plantations, and the general prosecution of colonization. They were treated "justly and graciously," as Lord Bacon advised, but no legal ownership of the land was ever attributed to them.

Chancellor Boyd resolved the case by holding that the Treaty Three Indians had no rights and therefore could not convey anything to the federal government. As the Dominion had no authority to grant the federal license to the St. Catharines Milling Company, it was invalid. In legal terms, he continued, the treaty was meaningless, so much so that a refusal by the Indians to adhere to it would not have stopped the country's expansion.

> While in the nomadic state they may or may not choose to treat with the Crown for the extinction of their primitive right of occupancy. If they refuse the government is not hampered, but has perfect liberty to proceed with the settlement and development of the country, and so, sooner or later, to displace them.

The defendants had argued that the Royal Proclamation of 1763 best explained the nature of the Indians' land right. The Chancellor recognized the key passage in the document, that "such Indians with whom we are connected, and who live under our protection should not be molested or disturbed in the possession of such parts of our dominions and territories, as not having been ceded to or purchased by us, are reserved for them or any of them, as their hunting-grounds." He recognized as well that, in his words, "this proclamation has frequently been referred to, and by the Indians themselves, as the charter of their rights." But, he added — accepting Mowat's and Cassels' arguments — the Proclamation "was superceded by the Quebec Act." The document he concluded, since 1774, "must be regarded as obsolete."

The defendants immediately appealed the Chancellor's decision to the Ontario Court of Appeal. McCarthy and Creelman again appeared for the appellants. Mowat and Cassels were now joined by David Mills, the vociferous opponent of the extension of the franchise to Indians (which went into effect on 4 July 1885). The Rebellion trials had all ended, — D'Alton McCarthy's partner B.B. Osler himself serving as one of the government's three-man prosecution team. Louis Riel had been hanged one month before the appeal was heard in mid-December in Toronto.

After listening to both sides make their presentations the Ontario Court of Appeal unanimously upheld Chancellor Boyd's judgement. Chief Justice Hagarty praised it as having been "mapped out with so much care and perspicacity." The Appeal Court agreed that the Crown's obligations to treat for Indian land title were strictly political, not legal.

With John A. Macdonald's backing, D'Alton McCarthy now appealed to the Supreme Court of Canada for redress. In their presentation McCarthy and Creelman again argued that; "In Canada, from the earliest times, it has been recognized that the title to the soil was in the Indians, and the title from them has been acquired, not by conquest, but by purchase." Until the Crown bought their territory "The Indians had a right to occupy the land, to cut the timber and to claim the mines and minerals found on the land, and the land descended to their children . . ." The Supreme Court heard McCarthy and Creelman for

Chancellor Boyd's Toronto, from the painting Lights of a City Street by F.M. Bell-Smith.

the appellants, and Cassels and Mills for the respondents, in mid-November 1886, passing judgment on 20 June 1887.

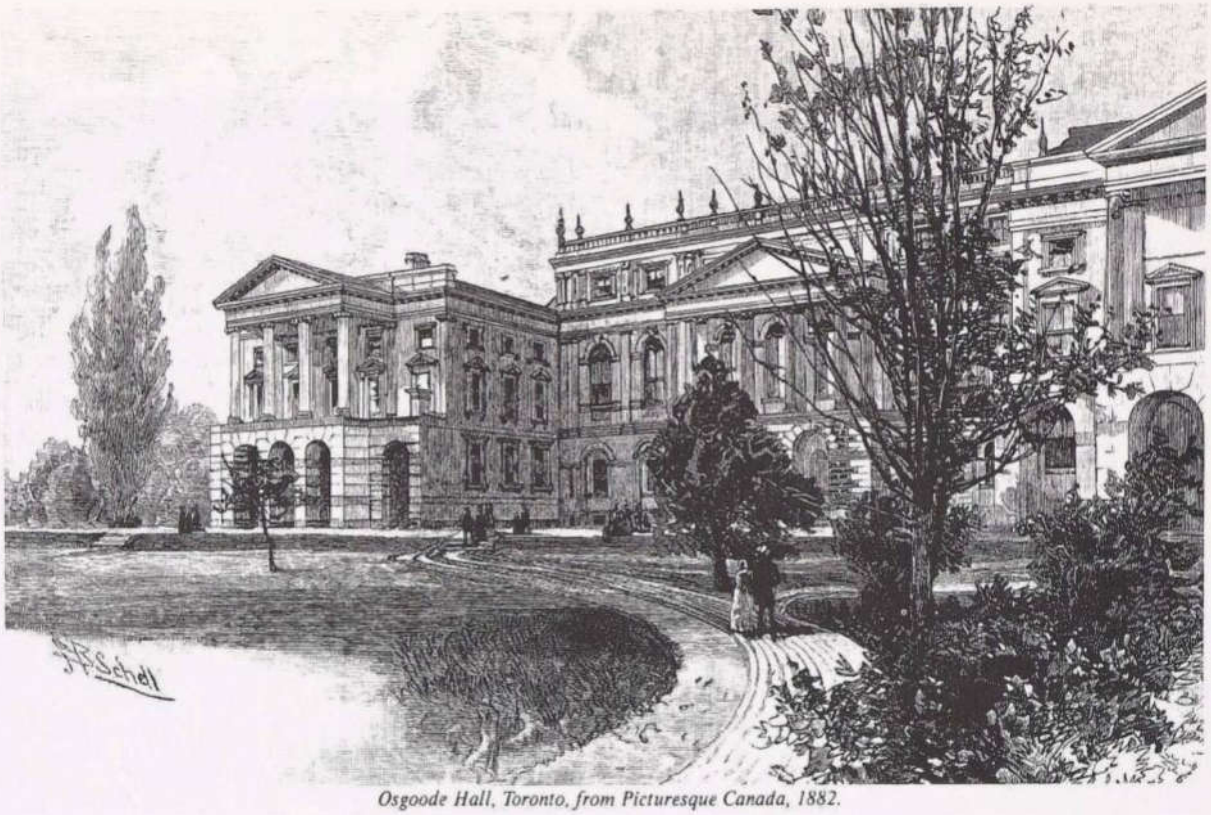
A century later certain points in McCarthy and Creelman's brief puzzle the historical observer. Apparently they never considered, at any stage, to request that an Indian witness from the Treaty Three area appear — or even to use quotations from Alexander Morris' book, to stand as evidence of the Ojibwa's own conception of their land rights (the following chief's statement would have more than sufficed: "We have a rich country, it is the Great Spirit who gave us this; where we stand upon is the Indians' property, and belongs to them"). The omission, in hindsight, seems extraordinary, but in view of the dominating racial beliefs of the day, so negative against native peoples, perhaps not surprising.

One cannot help criticizing McCarthy and Creelman for their poor presentation of their side of the case. They did indeed contest the province's statement that the Quebec Act of 1774 annulled the Proclamation of 1763, but then spent little time proving their assertion with Upper Canadian examples. They could have done so by examining all the surviving documentation on Indian policy from 1763 to 1827. By his own admission Chancellor Boyd had relied heavily on the Report of the Commissioners appointed to examine Indian Affairs in the Province of Canada (the Bagot Commission), published in 1845 and 1847. In their report the Commissioners themselves state that they had not examined any documents before 1827.

Today one has to make only the most cursory investigation to confirm McCarthy's and Creelman's assertion that the Proclamation remained in effect in Upper Canada after the Quebec Act. To select but three examples: first, the statement of Lieutenant-Governor John Graves Simcoe to the Western Indians at Navy Hall, Niagara, in 1793:

> These authentic Papers will prove that no King of Great Britain ever claimed absolute power or Sovereignty over any of your Lands or Territories that were not fairly sold or bestowed by your ancestors at Public Treaties. They will prove that your natural Independency has ever been preserved by your Predecessors, and will establish that the Rights resulting from such Independency have been reciprocally and constantly acknowledged in the Treaties between the Kings of France formerly possessors of parts of this continent, and the Crown of Great Britain.

Peter Russell, the Administrator of Upper Canada, wrote to the same effect to Lieutenant Governor Robert Prescott in Quebec in 1798: "I likewise desired them [the Mississauga] to be Assured that the King



Osgoode Hall, Toronto, from Picturesque Canada, 1882.

would never Accept of an Acre of their Lands before he had fully satisfied them for it, by paying them as usual a Valuable consideration and that they would never be forced to part with them contrary to their intentions." Similarly in 1811 William Claus, Deputy Superintendent General of Indian Affairs, told the Ojibwa Indians of Matchedash Bay and Lake Simcoe: "The King your Great White Father never has nor never will take a foot of land from any of his Indian Children without their free consent . . ." Moreover, in 1794, the procedures for the purchase of Indian lands in Upper Canada had been fully elaborated. Why did McCarthy and Creelman not search diligently through the surviving state papers that could be located between 1885 and 1887?

At all stages of their appeal McCarthy and Creelman overlooked a number of possible arguments, which would have weakened their opponents' position. They accepted, for instance, Chancellor Boyd's description of the Indians as being in the "nomadic state," and having "as a characteristic, no fixed abodes, but moving as the exigencies of living demanded." The Indians of the Treaty Three area were Ojibwa, a tribe which in the late nineteenth century extended from the north shore of Lake Ontario to the Canadian prairies. On the north shore of Lake Ontario the Ojibwa were known as Mississauga. McCarthy and Creelman, if they had consulted only two printed sources, could have obtained strong support for the argument that the Mississauga were not nomadic, but operated within circumscribed areas. In Peter Jones' posthumously published work, *History of the Ojebway Indians* (1861) the Mississauga Chief (1802-1856) mentioned:

> Each tribe or body of Indians has its own range of country, and sometimes each family has its own hunting grounds, marked out by certain natural divisions, such as rivers, lakes, mountains, or ridges; and all the game within these bounds is considered their property as much as the cattle and fowl owned by a farmer on his own land. It is at the peril of an intruder to trespass on the hunting grounds of another.

Another Mississauga, George Copway (1818-1869) from Rice Lake, wrote in his *Life, History and Travels* (1847):

> The hunting grounds of the Indians were secured by right, a law and custom among themselves. No one was allowed to hunt on another's land, without invitation or permission.

The point that the Indians did not wander aimlessly around would have led to a higher appreciation of their use of the land. It certainly would have helped to dispose of Cassels' and Mills' statement to the Supreme Court that the Indians "have no government and no organization, and cannot be regarded as a nation capable of holding lands."

McCarthy and Creelman's position was again rejected. The majority of the Supreme Court of Canada, four judges out of six, essentially agreed with the judgement of Chancellor Boyd. Many of the par-

ticulars of the hasty judgement made over the course of three weeks, between court sittings, and amidst the general background of an armed uprising, had been upheld. All that remained was the final court of appeal, the Judicial Committee of the Privy Council, the highest court of law in the British Empire. Once again D'Alton McCarthy faced Oliver Mowat, assisted on this occasion by Edward Blake, who had just resigned as the federal Liberal leader.

The ruling of the Privy Council in July 1888 denied once again the Dominion's contention that the Indians had been the absolute owners of the territory (owners in fee simple), and that they had relinquished that ownership to Canada by Treaty Three. The Privy Council found instead that the title to the soil rested with the Crown even before the Treaty: "The Crown has all along had a present proprietary estate in the land, upon which the Indian title was a mere burden (As a contemporary Indian lawyer has written; "The result of the *St. Catherine's Milling and Lumber Company* case is that the British, by simply setting foot on North America and planting a rag attached to a pole on the shores, acquired the title to Indian lands").

Yet the Privy Council deviated significantly from the Chancellor's judgement in one major respect. Lord Watson, unlike Chancellor Boyd, did recognize that the Indians had had a property right in their lands prior to the signing of Treaty Three, admittedly though one only of a low order (much less than a fee simple interest). It was a right of occupancy, "a personal and usufructuary right, dependant upon the good will of the Sovereign." The treaty had ended the right, which gave the province full ownership of the land. Contrary to Chancellor Boyd, the Privy Council held that this usufructuary right originated in the Royal Proclamation of 1763. Apart, though, from this one alteration the Chancellor's contention that the province of Ontario had full propriety rights, including the right to all natural resources had gained acceptance in three courts of law. John A. Macdonald, influenced as well by the alliance of the provinces at the Inter-provincial conference of 1887, at this point conceded. The representatives of five of the seven provinces had met in Quebec in 1887 and had demanded that the northern and western boundaries of Ontario, as determined by the Privy Council, should be enacted into law by the British parliament. In 1889, the federal government confirmed Ontario's new boundaries, and its full rights to the natural resources within them.

In the years since then Chancellor Boyd's decision has had a long life. It has been incorporated in numerous judgements, and endorsed yet again as recently as December 1984. In his Supreme Court of Ontario decision on the Temagami Land Claim case Judge Steele stated, "I agree with Arnup J.A.'s assessment of the judgement of Chancellor Boyd." Judge Steele cited Judge Arnup's comments in *Isaac et al.* v. *Davey et al* (1974) in full:

> The nature of Indian title in Ontario and the policy of the British Crown in relation to Indians and their rights has been authoritatively determined in a series of cases, in which much of the historical background is recounted, particularly in those cases decided when the events of the last 15 years of the 18th century were still present in the minds of living persons in the middle of the 19th century, and were recorded in documents available to the Judges of that time. As Osler J., did, *I find the judgement at trial of Chancellor Boyd — a most learned, accurate and respected Judge — in R. v. St. Catharine's Milling & Lumber Company, to be of great assistance.* [Author's italics] It is reported in (1885), 10 O.R. 196. The history of public lands is dealt with at pp. 203-6, and the colonial policy of Great Britain concerning the aboriginal populations in America is dealt with at length commencing at p. 206. The judgement was affirmed, 13 O.A.R. 148, 13 S.C.R. 577, and by the Privy Council, 14 App. Cas. 46.

As for the prime minister, he won his next election in 1891. He had the satisfaction of knowing that Indians in Eastern Canada could vote (once again in office, the Liberals, in 1898, denied the Indians the federal franchise). He won, but the election proved his last — he died three months later. Oliver Mowat remained Premier of Ontario until 1896 when he entered Wilfrid Laurier's new federal cabinet as Minister of Justice. He died in 1903. Chancellor Boyd was knighted in 1899, and continued as President of the Ontario High Court of Justice until his death at age 79 in 1916.

Despite all the litigation about their homeland the Indians of the Treaty Three area fared very badly. The Dominion and Ontario governments could not agree on the promised selection, location and extent of their reserves. Many Indians had to wait a generation and more for the confirmation of their reserves. Some bands in the mid-1980s still have not received their reserves.

One suspects that despite John A. Macdonald's genuine concern to see the federal franchise given to Canada's Indians, he was only interested in their land rights in the St. Catharines Mill case to further the ends of the federal government. D'Alton McCarthy, his loyal lieutenant, certainly had no long-term commitment to the cause. Shortly after the conclusion of St. Catharines Mill he embarked on a crusade much dearer to his heart. In 1889 McCarthy began his campaign to make Canada a unilingual English-speaking country, and to eliminate the French language wherever possible, particularly in Manitoba and the North West. ♦

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KIND HEARTS OR FORKED TONGUES?

When the Loyalists flocked into Canada after the American War of Independence they wanted land, and in many places the land they wanted was occupied by Indians. Across the fertile belt north of Lake Ontario it became the practice to treat with the hunting Indians who still lived there, pay them for their land, and allow them to move further north to more remote hunting territories. It was not yet the practice to set up small reserves within the surrendered areas as part of this payment.

Some 24 treaties of this kind were made with Indian groups: for instance, in 1790, 2,000,000 acres were surrendered in return for $5,000, and two years later, another 3,000,000 acres were bought for the same amount. To those who argued that this was a steal (and there were some) the administrators of the time replied that the land was of almost no value so long as it was used only for hunting. Only the hard work and agricultural knowledge of Europeans invested the land with value. This was a dialogue of the deaf. To the Indians the land was infinitely precious, the very basis of their existence. Yet if European civilization was to prosper, the Indians had to be moved out of the way, or so the Europeans of that time thought.

The location of the major events shifted as settlement advanced westward, as the fur trade declined, and the Indian economy became undermined. But the dispossession never really stopped. At first it was centred in Ontario, giving rise by the 1840s and 50s to several commissions of inquiry whose reports open for us today some of the thinking of that time. By the 60s, the centre was moving through north-west Ontario into the prairies. By the 70s and 80s the newly-established Canadian government was buying out the Indian title all across the country, and trying to confine Indians to reserves.

To do them justice, many whites in authority in Canada did give a good deal of thought to what they could do with, for or about the Indians who stood in the way of European expansion, but their efforts were fatally flawed by their cultural, religious and social preconceptions. Everywhere, the idea was to move Indians out of the way of settlement, to Christianize and Europeanize them if possible, to turn them into farmers instead of hunters. As a policy it was a disastrous failure from beginning to end, except that it did remove Indians from the path of settlement.

The conflict between Britain, France and the United States for control of the North American continent came to an end with the War of 1812, and from that moment, the Indians, who had always played a key role in the trading and military affairs of Canada, became a peripheral concern of colonial decision-makers.

The Indian decline in the following century, as they were stripped of their economic base and their political and social autonomy, is one of the saddest episodes in Canadian history — and one that has been comparatively little examined. In this article we examine the nineteenth century policies by which the Indians were moved off the land, the subsequent imposition on them of a legal regime embodying ideas of self-interested white paternalism, and the melancholy consequences of that regime for the Indians.

Royal Ontario Museum 912.1.50

Six Indian Chiefs by Paul Kane.

The Indian Ordeal: A Century of Decline

By BOYCE RICHARDSON

The Indians had always been administered by a department of the military, the costs met by an annual vote of the British Parliament. But with the end of the wars, the British were anxious to reduce these costs, which were mainly annuities paid in compensation for surrendered lands and presents, initiated years before as reward to certain Indians for their loyalty during the wars.

The colonial authorities in London not only wanted to save money; they worried that not enough had been done for the welfare of the Indians, and in 1826 they asked for a report and for recommendations. The report, the first ever produced about the Indian condition in Canada, was written by Major-General H.C. Darling, of the military. It showed there were 18,000 Indians within the influence of the governments in Upper and Lower Canada (though these did not include, of course, the "wandering" or "wild" Indians — Algonquins, Ojibwa, Crees, Montagnais, Naskapi — who still inhabited the forests. Many of these lived within the Hudson's Bay Company territory).

The report suggested that henceforth Indians should be collected "in considerable numbers" and settled in villages, should be provided with "religious improvement, education and instruction in husbandry", and helped with "housing, rations and necessary seed and agricultural implements."

The London authorities liked these ideas, but refused any extra funds to implement them. So nothing was done until in 1830 London decided on a major money-saving change. Administration was removed from the military to the civil authority. At a stroke, the annuity payments became a charge against the colonial revenues.

Sir George Murray, Secretary of State, in announcing this decision, did not say much about money, but looked forward to more progress in "religious knowledge and education" among the Indians. "It appears to me," he wrote, "that the course which has hitherto been taken in dealing with these people has had reference to the advantages which might be derived from their friendship in times of war, rather than to any settled purpose of gradually reclaiming them from a state of barbarism, and of introducing amongst them the industrious and peaceful habits of civilized life."

This mistaken policy was, perhaps, understandable, he wrote, since the Indians were disposed to cling to their original habits and mode of life, while "the new occupants of America" tended "to regard the natives as an irreclaimable race, and as inconvenient neighbors whom it was desirable ultimately wholly to remove." Thus Murray began to outline the direction of future policy.

There was at that time considerable difference between the Indians of the Quebec reserves and those of Ontario. It was already 170 years since Indians had first been settled on reserves in Quebec, and for the white administrators they represented the ideal of what Indians should become. As described in a government report a few years later, they attended their Roman Catholic churches regularly under resident missionaries, they had made considerable progress in agriculture, and were in good health with large families of six or seven children. More importantly, few of their "native institutions" remained, their "pagan" ceremonies had been abandoned, and their fondness for hunting had abated considerably because of the lack of game. The authorities hoped that this catalogue of virtues could be extended into Ontario, where Indians had been more recently in contact with Europeans, were still wedded to their traditional ways, and had not come under the same heavy assimilative pressures as those in Quebec.

Some Indians, of course, had been settled on reserves in southern Ontario, notably the Iroquois brought north by Joseph Brant, the Delaware on the River Thames, and some Ojibwa (also known as Chippewa or Mississaugas), but relations with surrounding settlers were difficult. The Mississauga threw up an outstanding leader in Peter Jones, son of an Indian mother and American father, who became a Methodist priest. The authorities preferred Anglicans to Methodists, and tried to undermine Jones' influence, a pattern that solidified during the following century as government consistently opposed all Indian attempts to organize a political resistance, but his tribe in 1838 sent Jones to England to petition the Queen for title to the lands on which they were settled. It was the first journey of its kind (followed, right up to the present day, by many others). But the authorities would not consider giving the Indians title. The chief superintendent of the time argued that if they held title Indians would become liable to assessments, debts and other legal and financial burdens, would become free to sell their land, and so eventually lose it. This is a doctrine which has since, indeed, protected Indian lands, but also has placed vital decisions in other than Indian hands.

The first major experiment to save the Indians by "the Bible and the plough" began in 1830 at Coldwater reserve, in the ancient lands of the Huron between Lake Simcoe and Georgian Bay. Indians were gathered there under missionaries and teachers to whom was entrusted the task of transforming them into "civilized" people.

Of course the necessary money was not made available. The experiment was plagued with inferior equipment, incompetent staff and missionaries of different denominations who competed against each other for influence, and its failure confirmed the gloomy views that had begun to develop among such government leaders.

Sir Francis Bond Head, Lieutenant-Governor of

Public Archives of Canada C-18789

Sir Francis Bond Head: Protection from the horrors of civilization.

Upper Canada, was among these pessimists. He came from a colourful assignment in South America, where he had written a number of travel books and earned a name for his forays into the Andes. Soon after his arrival in Canada he announced that the policy of trying to turn Indians into farmers had already been a complete failure, and that experiments such as those at Coldwater in which Indians were "congregated for the purpose of civilization, have implanted many more vices than they have eradicated.

"The greatest kindness that could be done to these intelligent, simple-minded people is to remove them as much as possible from all communication with Whites," he said.

Head was a believer in that favourite stereotype of the period, the noble savage, according to which (in the words of a commission of inquiry) the Indian in his native state was "generous, proud, energetic, lively, happy, docile and hospitable", whereas, after contact with whites he declined into a pitiful "indolence, intemperance, suspicion, covetousness, dishonesty and cowardice." This was a particularly convenient idea for an aggressive frontier society, not notable for its subtlety or sensitivity, that was struggling to find a way of dealing with a people of whom they had little understanding, because under this doctrine, any Indians with whom they actually came in contact were, by definition, degenerate.

As an expression of this doctrine, Head in 1836 launched another experiment, suggesting that hunting Indians from across the north should be gathered up and placed in a remote area where they could pursue their traditional way of life away from the destructive influences of civilization. He chose Manitoulin Island in Lake Huron, which he thought would be ideal "since it is uninhabited by whites, and appears to have few temptations to invite them thither."

There were two kinds of protest. Religious people objected, for Head appeared to be denying that European morality and education could lift Indians out of their supposed state of savage barbarism. But the recently-formed Aborigines' Protection Society had a different objection: they accused Head of hypocrisy, of scheming merely to get the Indians out of the way so that they could no longer impede the progress of European civilization across Ontario.

The society wrote to the colonial secretary suggesting a good reason why the island would not be attractive to whites or Indians: it was really of little use for anything. Manitoulin, they wrote, was no more than 23,000 rocks of granite, and was "perfectly useless for every purpose of civilized life." The Indians were, in effect, to be banished there, and would be "doomed to live on berries, and the few fish which frequent the shallow waters."

Undaunted, Head arranged for the surrender of such title as was held in the island by the few wandering Ottawa and Ojibwa who used it from time to time, so that it could be freed for settlement by other Indians. Almost 1,000,000 acres of land were involved. Rival religious groups moved in. A few Ottawas — many of them from the United States — took up residence. An effort was made to turn the Indians into farmers. But 25 years later, only 1,000 people had moved in, and only 3,000 acres had been improved. So the government decided to bring the experiment to a close.

The bizarre sequel in the late 1860s is a forgotten piece of Canadian history. Once again a surrender was negotiated. Catholic Indians living on the west of the island objected, and were excluded from it. But 600,000 acres were surrendered by Protestant Indians for $700, which was intended to be an advance against the proceeds from the sale of land to white farmers.

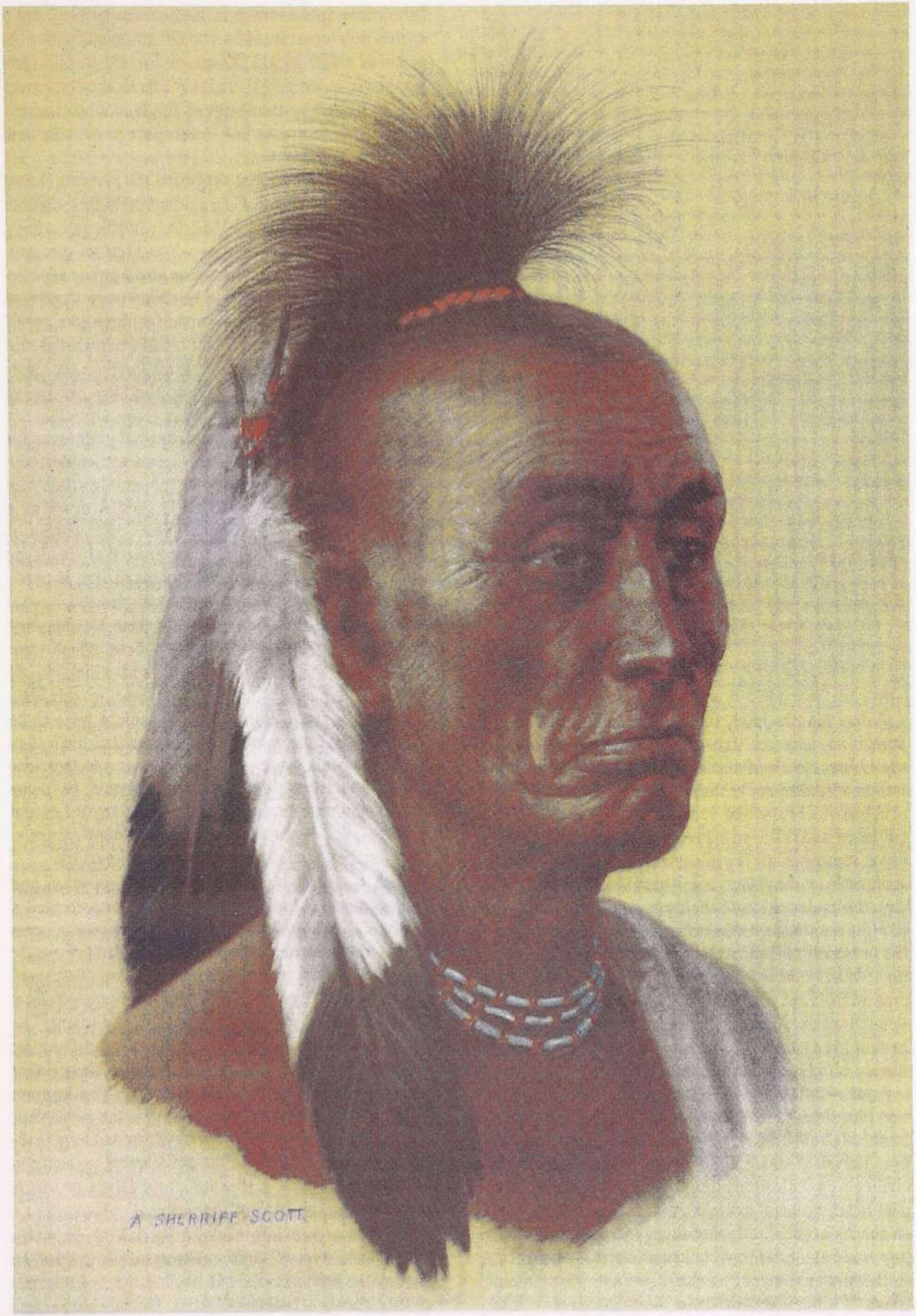
Within a few months there was trouble. A group of Indians who had refused to sign tried to expel new settlers and some Protestant Indians from the surrendered lands. Accusations were made that whisky had been given to the Indians to persuade them to sign. A government revenue officer was accused of provoking the trouble because he had given a fishing licence to a white man and had even offered to lease the whole island to two outsiders.

He tried to use his authority as a government official to arrest the leaders of the "troublemakers", but was foiled by a crowd of 400 Indians. Eventually one Indian was arrested. On a boat trip to the mainland, the revenue officer disappeared in mysterious circumstances. His body was later found in a creek. No one ever discovered what happened, because when an inquest was called, a boat carrying the witnesses to the mainland perished in a storm, with the loss of 60 people.

There was a lively exchange of letters and editorials in *The Globe* of Toronto. The newspaper had no doubt that the Indians had been stirred up by their priests. "The Indians cannot reasonably expect to stand in the way of the progress of civilization," commented the newspaper (in a classic phrase). "They may well be content that they are to receive, besides lands for their own occupation, all the purchase money of the surplus territory".

But the Catholic priest to the Indians, Rev. Auguste Kohler, replied hotly that the real problem was that Indians were often starving, not only on Manitoulin, but in other nearby settlements. *The Globe* came back to the subject: the Indians were not starving because of lack of land, game or fish, the newspaper claimed. "They starve because the labours of Priest Kohler and others, of which he boasts rather too noisily, have not yet made the Indian industrious or provident." So it was their own fault, after all!

An Iroquois noble by Adam Sherriff Scott.


A. SHERRIFF SCOTT.

Public Archives of Canada C-15102

The "Noble Savage" of the European imagination, King of the Maquas by Verelst.

A few months later, the authorities decided not to pursue any charges that might have arisen from the mysterious death of the revenue officer, whose arbitrary and indiscreet actions were now blamed for the problem. In future the Indians should be allowed to cut wood and sell it to steamboats on the lake; and no more licences should be given which would exclude the Indians from the fishery. So, though rather late in the day, the protestors won their point.

Still, the incident illustrates how, midway through the last century, Indians had become marginal people, regarded as an obstacle to the advance of civilization even in an area remote from the major thrust of settlement where the original idea had been to settle them forever free from the damaging effects of the new society building around them.

Apart from these two failed experiments, no important measures were taken until the 1850s to protect Indians from the acknowledged difficulties caused them by advancing settlement. But from the beginning of civilian rule the authorities showed considerable eagerness to take control of Indian moneys, and spend them on the Indians' behalf. Annuities were spent on buildings, seed and tools, and no longer distributed directly to the Indians; and the annual presents were diminished. "Father", protested the Seven Nations in 1837, "these presents are not in fact presents. They are a sacred debt contracted by the Government, under the promise made by the Kings of France to our forefathers, to indemnify them for the lands they had given up, confirmed by the Kings of England since the cession of the country and up to this time punctually paid and acquitted."

When the government suggested the presents should be used for "religious and moral improvement", another Indian group replied in 1838 that "although willing to be instructed, yet, as our white brethren are provided with the means of education at the public expense, we do not think we ought to be called upon to give up a portion of our small allowance for these purposes." It was as if, in our own day, the old age pensions should be seized to provide drop-in centres for the aged. Naturally, the Indians didn't take to the idea. Yet it was very widely practised.

Head by now was long gone, but his preference for isolating the Indians from European settlement continued to reverberate in later policy. In 1838 the Colonial Secretary, Lord Glenelg, laid it down as a principle that "in any scheme for the improvement of the Indians, the first object to be arrived at should be their location in compact settlements, apart, if possible, from the population of European descent."

At the same time, in despatches from London, one begins to see the development of policies which were solidified in the coming decades, and which, to all intents and purposes, remain in place to this day. Glenelg, for instance, held that if Indians were to be "gained over from a wandering to a settled life", they would require a sense of permanency in the locations assigned to them, that their lands should be unattachable by creditors, and inalienable to anyone except with the joint concurrence of the lieutenant-governor, the principal chief, and the resident missionary.

Such measures were meant for the protection and improvement of Indians, but they also represented a loss of self-determination, the beginning of a process which grew monstrously as the century rolled on.

By 1841 a new governor, Lord Sydenham, was every bit as pessimistic as Head had been a few years before. "The system pursued with regard to the Indians," he wrote to London, "is . . . in my opinion . . . of the most mistaken character." He did seem to see clearly that government policy was schizophrenic. "The attempt to combine a system of pupilage with the settlement of these people in civilized parts of the country leads only to embarrassment to the government, expense to the Crown, a waste of the resources of the province, and injury to the Indians themselves."

He then lapsed into his own version of the noble savage stereotype. "Thus circumstanced, the Indian loses all the good qualities of his wild state, and acquires nothing but the vices of civilization. He does not become

a good settler, he does not become an agriculturalist or a mechanic. He does become a drunkard and a debauchee, and his females and family follow the same course. He occupies valuable land, unprofitably to himself and injuriously to the country. He gives infinite trouble to the government, and adds nothing either to the wealth, the industry, or the defence of the province."

Such an Indian was literally valueless, apparently. And occupying such valuable land!

By this time the two provinces had been combined, and the stage was set for introduction of policies in the 1840s and 50s that eventually stripped the Indians of their autonomy, and plunged them into a century of decline.

By 1850 the major work of neutralizing the Indians in the colonized parts of eastern Canada had been achieved. The St. Lawrence valley in Quebec and the valuable lands of southern Ontario had been largely cleared of Indians. In 1844 a commission of inquiry appointed by the Governor-General Sir Charles Bagot figured the number of Indians in Upper and Lower Canada at about 12,000 (down from 18,000 20 years before).

In Quebec these included fewer than 3,000 living on the seven long-settled reserves, and another 300 or so wandering Algonquins, Tête de Boule and Abenakis, who lived in tents close enough to white settlements that they were considered to be within the influence of the government.

In Ontario the number was set at 8,862, about equally divided between native Ojibwa (also known as Chippewas or Mississaugas) and Iroquois, Ottawas and Pottawatomies who had emigrated north after the American War of Independence. In neither colony were the large numbers in the northern forests counted. But even though these few Indians were scattered over a huge area from Kingston to Amherstberg near Windsor, they still occupied land that the settlers coveted. Local politicians in towns like Sarnia began to complain that their towns could not grow because they were surrounded by Indian lands. Since the politicians were responsive only to the white voters (Indians did not have a vote), the defence of Indian lands required an act of determination that the colony's leaders had little stomach for.

Indians for the most part were not much interested in farming, so many European farmers began to squat on Indian lands that to them appeared to be going to waste, and then they petitioned the government for title. The Bagot commission described the Indians as "an untaught, unwary race among a population ready and able to take every advantage of them." Ignorant of English and trade, fond of liquor, and lacking political or civil rights, said the commission, the Indians were maintained by the authorities "in a state of tutelage which, although devised for their protection and benefit, has in the event proved very detrimental to their interests." It was clear to the commission that laws were needed to prevent Europeans from squatting on and taking over Indian lands. But the preoccupation of the period was expansion, not justice. The commission accepted the inevitability of development, and rejected arguments that the Indians had been unjustly dispossessed and inadequately paid for their land.

Royal Ontario Museum 960.273.9

Indians on the Trail by J.F. Woolford, early nineteenth century and still reasonably "noble".

"It would have been as impossible to resist the natural laws of society and to guard the Indian Territory against the encroachments of whites as it would have been impolitic to have attempted to check the tide of immigration," commented the commission. The alternative would have been "the horrors of a protracted struggle for ownership," the result of which could only have been the occupation of the Indian lands "without any compensation whatever." In other words, *force majeure* had the strength of a natural law.

The European settlement of Canada took a long time — at least 200 years between the first settlements in the east, and those on the west coast — but it was like a steamroller grinding an inexorable, irresistible course slowly westwards and northwards.

The Royal Ontario Museum 912.1.10

Spearing Salmon by Torchlight. Paul Kane captures the romance of native life.

It has become part of the accepted wisdom, especially the liberal wisdom, that the Indians were the passive victims of a brutal exploitation, that they scarcely understood what was happening to them, and were cruelly robbed of their heritage. But this is not really how it happened. The evidence shows that the Indians played a prominent role in the early years of colonization, and later, as they were swept aside, they understood only too well what was happening to them, resisted as best they could, negotiated with dignity, but in the end had neither the numbers, the power nor the political coherence to stop the European steamroller in its tracks. Our history books tend to tell us that our forbears were honourably motivated, concerned for the welfare of the poor Indians, and anxious to see them right. They tend to fudge or ignore the relentless self-interest by which the country was occupied by the immigrants.

For example, in 1850, the colonial government despatched a commissioner, W.B. Robinson, northwards to enter into a negotiation with the Ojibwa people living between the Great Lakes and the southern limits of Rupert's Land, owned by the Hudson's Bay Company. But the real reason for Robinson's mission is lost in the forgotten pages of the newspapers of the time. These reports, for example in *The Globe* of Toronto, establish that the Quebec Mining Company sank a mine near Sault Ste. Marie, and that, as a result, on 5 July 1849, the Indians in the area petitioned the Governor-General asking for a land settlement.

When nothing was done after six months, these Indians became so angry that on 22 November, 100 of them attacked the mine and drove the miners away. Troops were sent from Toronto. They arrived three weeks after the event, arrested the leaders of the attack, and announced that a trial would be held. But just a month later the government announced Robinson's appointment to negotiate a treaty.

The two treaties Robinson signed are known as the Robinson-Superior and Robinson-Huron treaties. They set the pattern that was followed in the next 30 years as treaties were made with Indians in all of the land of southern Canada right across to the Rockies. The Indians agreed to "surrender, cede, grant and convey unto Her Majesty, her heirs and successors for ever, all their right, title and interest to" the land over a huge area north of the Great Lakes, thus giving up whatever claim they had to the lands they had always occupied, and in return they were allowed to choose 20 small reserves around their main places of settlement, and were given the right to hunt and fish in the surrendered lands.

The Indian leaders of the time certainly understood the economics of what was happening. Two of those who led the attack on the mine, Shinguacouse and Nebennigoebing had previously visited Toronto and

demanded that the money the government had received for all mining locations should be paid to the Indians, as the real owners of the land.

This amount was about £8,000 (roughly $32,000) and when Robinson entered negotiations with them he offered to pay them this in a lump sum, as a once-and-for-all payment, or as a lump sum of $16,000 with an annual payment thereafter of about $4,000.

The two chiefs who had led the agitation now stepped forward and demanded $10 a year for every Indian. They said this was the sort of figure which had been paid in southern Ontario and in the land south of the Great Lakes in the United States. Shinguacouse claimed there were 8,000 Indians living in the Lake Superior region alone, so he was in effect asking for annuities almost twenty times what the government offered. Robinson believed the Indians' population figures were inflated, and indeed, in the end only about 2,660 Indians and half-breeds were registered and given payments under the two treaties, so maybe in this Robinson was right.

Robinson's report on the meeting suggests that he improvised these treaties, wrote them out overnight and presented them to the Indians the next morning. (He was, after all, blazing the trail for the formal treaty-making process that was to follow.) What is quite certain is that the amount he was authorized to pay to the Indians was decided before he ever left Toronto, for in his report to his superiors he says that he had been given a little more than $20,000 for the task, and he brought back some $3,200 unspent.

The annual payment the Indians finally accepted amounted to 96 cents a head, but Robinson (apparently relieved at getting away with such a low amount) provided that if, in the future, the land that the Indians had given up yielded sufficient income, then the government could increase the annual payment to a maximum of $4 a head. This was done several years later, bringing the annual payment up from $4,000 to $14,000.

Robinson rejected the comparisons made by Shinguacouse between the small sums he was offering and the $10 paid to Indians in southern Ontario. He said the land in southern Ontario was of high quality, and was already so thoroughly occupied by whites that it was impossible for Indians to continue to hunt "whereas the lands now ceded are notoriously barren and sterile, and will in all probability never be settled except in a few localities by mining companies . . ."

Robinson was anxious to avoid paying welfare to the Indians, who were becoming impoverished because of the collapse of the game (moose disappeared from the

Trading with the Indians in Labrador, 1861, by William Hind. The bearded man is said to be super trader Donald Smith, later Lord Strathcona.

Toronto Public Libraries

Lake of the Woods Museum 964.17.33.

Indians say "cheese" at Rat Portage (now Kenora) as the white man moves in, late nineteenth century.

area in 1805 and were not seen again until the end of the century). Robinson commented in his report that he believed he had forestalled a demand for welfare by granting the Indians freedom to hunt in the lands they had given up. Putting all of these statements together one can see a coherent but misleading pattern of argument. It went thus: Indians in the south were no longer able to hunt only because there were so many whites there. But in the north the situation was quite different. The land was pretty well worthless to whites, was unlikely to be settled by them except in a few places, and the Indians would be free to hunt everywhere that was not occupied. Given this formulation it is scarcely surprising that the Indians paid little attention to the additional fateful clause that Robinson included in the treaty: the Indians would be free to hunt and fish as they were in the habit of doing "saving and excepting only such portions of the said territory as may from time to time be sold or leased to individuals or companies of individuals, and occupied by them with the consent of the provincial government." The Indians assumed, wrongly, that they were not really giving up anything by signing the treaties. They thought they would be paid for those few small places the whites would need, but otherwise would always be free to use all of the land just as they had always done.

Robinson thought it wise to grant the Indians a reservation at Garden River, nine miles from the Sault, even though two mining claims had been registered within the reservation. He solemnly assured Shinguacouse that these mines could not be sold to outsiders without the Indians' consent, but in his report commented with a rather distasteful air of satisfaction that "they are in the heart of the village and shew no indications of mineral wealth." In other words, his concession to the Indians over these leases was worthless, and he knew it.

When Shinguacouse and other Indian leaders made comparisons with the treatment accorded Indians in the United States, Commissioner Robinson challenged their facts and their reasoning, and it is, perhaps, worth contrasting the two policies. The Americans, Robinson

told the Indians, had rounded up the Indians and removed them to a completely different part of the country, but the Canadian Indians would be staying in their own country. It is true that while the Canadian government was peacefully negotiating with the Indians, in the United States the most brutal and appalling events were occurring as the Congress imposed the Removals Bill of 1830 on the Indian tribes. Tens of thousands of helpless people were uprooted and driven mercilessly across the country in an atmosphere of incredible violence, and it was during these decades that many of the legendary figures of American Indian history fought their last desperate battles.

As in so many other areas of life, the Canadian policy was milder, understated, and relatively more civilized than that of the U.S. But the results, in the end, were not dissimilar. Thirteen years later, the Rev. Auguste Kohler, the priest at Manitoulin Island, complained in a letter to *The Globe* that the people at Garden River were starving. Evidently the reasoned resistance of Shinguacouse, and the most gentlemanly negotiating posture of the Canadian colonial government had not saved these Indians from being crushed by the immigrant steamroller, just as they were in the United States.

After Canada was established in 1867, an all-Canadian route was needed through the forests of northwestern Ontario to the prairie settlement at Red River. But the Indians who lived in these forests had made it clear years before that they had no intention of simply standing aside and allowing white people to take over their lands.

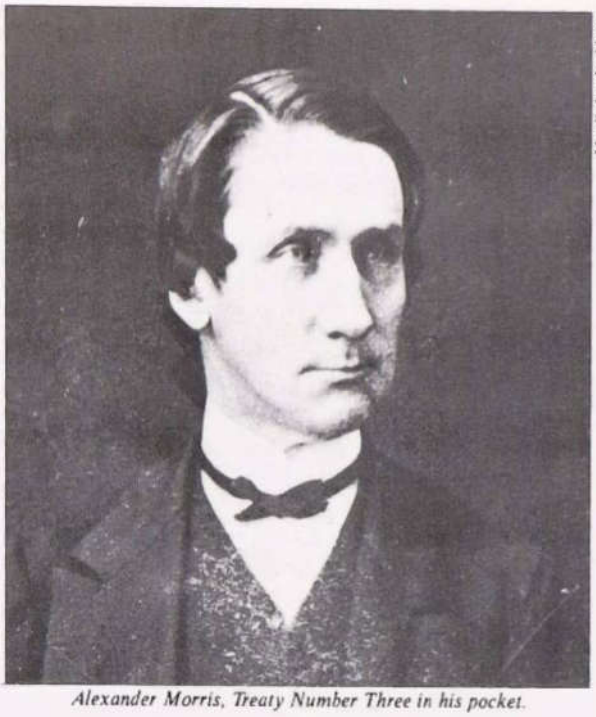
In 1857, for example, the Royal Geographical Society's Palliser expedition to the Red River had met Indians along the way, and had reported back "that they were anxious to know what the Queen intended to do with the country when it was taken from the Hudson's Bay Company". Palliser promised them that the white man would never take their land by force.

The following year, a surveyor who later became an MP, Simon J. Dawson, made an exploratory trip through the Lake of the Woods area to Red River. His reports were published in *The Globe* over several months, and they, too, show that the Indians were completely aware of their rights, and wary of the probable pressure they would soon be facing.

Dawson held "a grand council" with the Indians in Lake of the Woods. "They made no opposition to his passage after he had provided them with the usual presents of tobacco and tea," reported *The Globe* in

House Indians at Rupert's House in the 1870s.

Hudson's Bay Company



Manitoba Archives

Alexander Morris, Treaty Number Three in his pocket.

1859, "but they appear to desire to have it clearly understood that the country is theirs, and they do not abandon any of their rights by permitting the government surveyors to pass."

Dawson found there were about 5,000 of these Indians "who acknowledge one big chief and keep up close communication with each other. This big chief Mr. Dawson reports to be shrewd and able to speak with the poetry and eloquence of the great Indians of past generations."

Ten years later, these same Indians were still unwilling to grant right-of-way to settlers, or the Canadian army, or anyone else, without some compensation for their aboriginal title in the land.

The urgency of making an agreement for passage through this land was emphasized by the action of the Métis in stopping William McDougall from entering the Red River territory from the United States when he was despatched by the government in Ottawa to take up an appointment as Lieutenant-Governor of the whole territory to the west.

In 1870 the government sent out various emissaries to inquire as to what the Indians of north-western Ontario would want, to secure right of passage through the forests for Canadian soldiers. But the Indians treated the idea of such a limited agreement with contempt. They repeated what they had told Dawson more than a decade before: they were not going to give their land away for nothing. They wanted a comprehensive treaty.

Later that year Manitoba joined Canada, so safe passage of "emigrants and the people of the Dominion generally" through the forests of the north-west angle, as it was called, became an even greater priority. The Indians were so recalcitrant that the treaty-making process moved past them. Two treaties, Numbers One and Two, were signed in Manitoba, while the forest Indians of the north-west continued to stall. In 1871 a commissioner was sent to Fort Frances, authorized to offer them small reserves, some presents, and a small amount of money for right-of-way through their territory. But again the Indians refused to sign, though they agreed not to interfere with travellers.

The commissioners returned the next year with more concrete proposals, but for a third time the Indians refused to sign, and it was not until 1873 — actually, the fourth attempt — that Alexander Morris succeeded in having them sign what has become known to history as Treaty Number Three.

Morris's account of the signing shows how hard the Indians tried to obtain favourable terms. Morris had decided to offer them $5 a head annuity (for 14,000 Indians living in the 55,000 square miles subject to negotiation), a present of $10 a head, and reserves amounting to one square mile for every family of five. The Indians had decided on *their* terms at a general council four years before: they wanted $10 a head annuity, a $15 present, $50 a year for each chief, and other amounts totalling $125,000 a year. If these demands were satisfied, they said, they would talk about the land.

"This is what we think," said the leading Indian spokesman, Mawodopenais, "that the Great Spirit has planted us on this ground where we are, as you were where you came from. We think where we are is our property."

Another chief said: "The sound of the rustling of gold is under my feet where I stand. We have a rich country. It is the Great Spirit who gave us this. Where we stand upon is the Indians' property and belongs to them."

Morris refused even to discuss these demands. The chiefs said they were determined. Morris replied that, in that case the conference was over. He advised they should think about it again. One chief then came forward representing 400 people. He said they wished a treaty. They wished a schoolteacher to teach their children the knowledge of the white man. They wished for some grain and seeds, implements and cattle. The commissioners decided to increase their offered presents from $10 to $12, but the Indians again asked for $15 as well as clothing for everyone. They wanted free passes on the Canadian Pacific Railway. They wanted liquor banned from their reserves, and freedom from conscription for the white man's wars. They asked if the mines would be theirs or if an Indian who found

a mine would be paid for it. "I told them," reported Morris, "that he could sell his information if he could find a purchaser, like any other person."

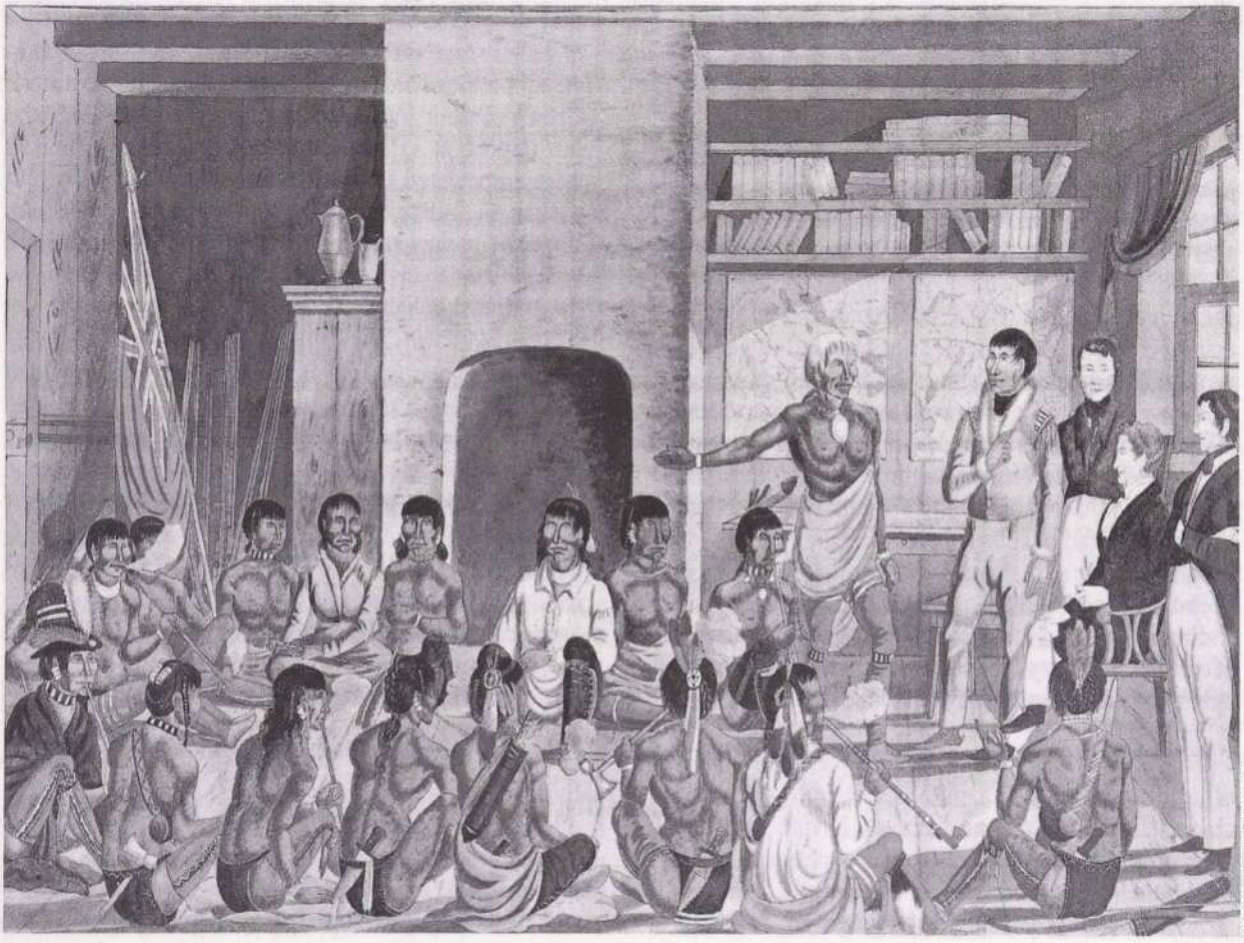
Morris discovered one particular Indian grievance: for years they had been unhappy that whites had come into their lands and taken wood for their steamers without paying for it. In the view of the whites, the land was owned by the Crown, and the wood was free to whoever cut it. Morris found the Indian feeling so strong, he said, that if he had failed to make the treaty, within a year the government would have been compelled to send an armed force to defend the water route.

However, after several days of "protracted and difficult negotiations," as Morris called them, the treaty was signed by 24 chiefs. The Indians settled for $12 a head presents, $4 a head annuity, a sum of $1,599 a year for ammunition, $25 a year to each chief, some agricultural tools and seed and some clothes, flags and medals for the chiefs. They undertook to maintain peace with the whites, and not to trouble those who took up residence among them, or travelled through the territory. They were given some small reserves, and in return ceded their rights in 35,000,000 acres.

Mawodopenais said: "I take off my glove and in giving you my hand I deliver over my birthright and lands; and in taking your hand, I hold fast all the promises you have made, and I hope they will last as long as the sun goes round and the water flows."

By this time the stage was set for what is in essence the modern era of relationships between Europeans and Indians. Throughout the 1870s and 80s, the treaty-making process kept rolling across the country. By 1883 the buffalo were all but extinct: the plains Indians who depended on them had to accept whatever terms and help the government felt disposed to offer them. Elsewhere, the fur trade had ceased to be of major economic importance, and the Indians confined to reserves faced "A protracted bacteriological invasion of unimaginable proportions" (to quote from a Manitoba Indian Brotherhood document of 1971). This latter part of the story, the conflict between the Métis, Indians and colonists on the prairies, is well-known, and has been much written about. It is the more bureaucratic part of the story, the road to the Indian Act of 1876 and the imposition on the Indians of a legal regime of truly staggering pretensions, that remains a more or less hidden part of Canadian history.

No chairs for Chippewas at Red River, 1823, from a watercolour by Peter Rindisbacher.



Hudson's Bay Company

British Columbia Archives

Indian in ceremonial garb, Western Canada, mid-nineteenth century.

Imagine a system of, say, apartheid, whose rules were written by a bumbling Anglican vicar, full of misdirected good intentions, the sort of figure so often played by English character actors in old British movies.

This is about as close as one can come to describing the peculiar ethos of Canada's Indian Act. It was first passed in 1876, yet more than a century later it has scarcely changed in tone and direction. It is a pain to the Indians whose destinies it controls, and an embarrassment to the nation, for its abandonment has been a subject of perpetual debate for the last 40 years. To anyone who has looked into it for 10 minutes, the very existence of this strange piece of legislation must remain a source of astonishment and dismay. Yet it persists. Is there something quintessentially Canadian about it? Could it be that this legislative anomaly touches some curious and half acknowledged depths in the Canadian psyche?

Probably not. Most Canadians know little about the Indian Act. Though its development in the second half of the last century is one of the most extraordinary episodes in the history of Canada, Canadians remain relentlessly ignorant of it.

The story begins around 1850, when, after 30 years of desultory debate, Canadians had come to the conclusion that the Indians were no longer capable of defending themselves against the squatters, loggers, poachers and others who frequently entered the remaining Indian lands and took them over. The government was not very powerful, was preoccupied with other matters, and could offer the Indians little protection.

The Indians were already in a bad way. "They have no annuity as a resource, the game is almost entirely destroyed, they have scarcely any furs to offer the traders," wrote one official, recommending against the proposed discontinuance of the annual presents. Such an act, he said, would merely "heap misery on wretchedness".

"They gain only a precarious subsistence by fishing, trapping hares and shooting a few wild fowl," he added. "It is therefore undeniable that, if the Indian in this situation is deprived for one or two years of even his blanket . . . he cannot face the storm to procure fish, and he will consequently perish."

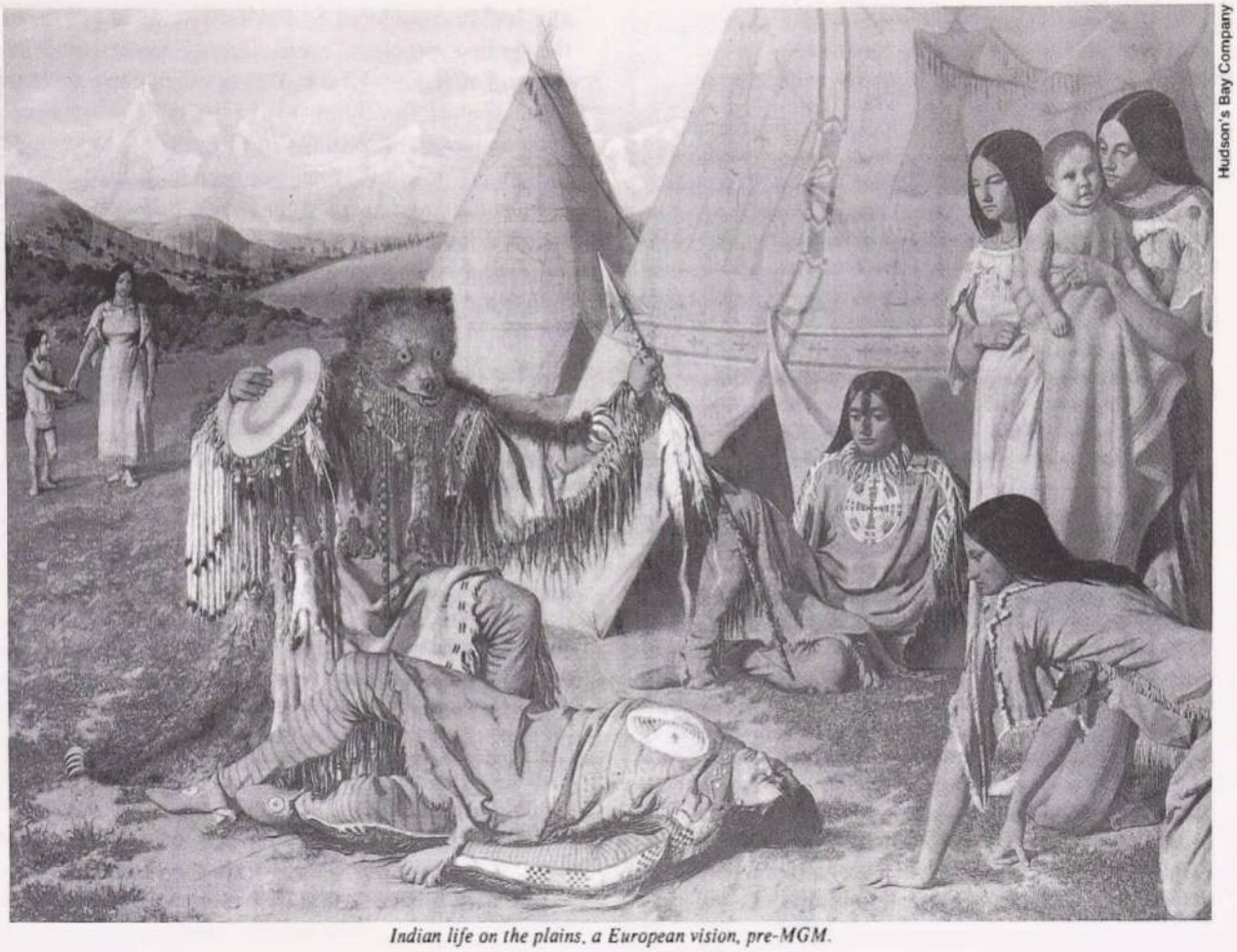
So in 1850 the urge to protect Indian lands gave rise to two pieces of legislation whose very titles are redolent of their times: "An Act for the Better Protection of the Lands and Property of the Indians in Lower Canada", and "An Act for the Protection of the Indians in Upper Canada from Imposition and the Property Occupied and Enjoyed by Them from Trespass and Injury".

From the time that these acts were passed officials and legislators had no further doubts that they knew what was best for Indians, and before this generous confidence had run its course, Indians had every cause to recoil from their good intentions. These Acts provided both privileges and restrictions: for example, Crown consent was needed for the sale of Indian land (an important safeguard), but Crown commissioners were empowered to grant licences to outsiders to cut timber on Indian lands (an unwarranted imposition, since the money raised from timber sales went not to Indians, but to civil servants authorized to spend it on the Indians' behalf).

The 1850 Acts also began the process of defining exactly who was an Indian. Four groups were included at first: a person of Indian blood "reputed to belong" to a particular group or tribe, persons married to such Indians, their descendants and children, and anyone adopted by such persons in infancy.

A year later the definition was amended to exclude non-Indian males married to Indian women. But non-Indian women married to Indian men continued to have Indian status, an 1851 anomaly that has lasted to our own day under which, for example, an Englishwoman born in Yorkshire can be considered to be a Canadian Indian.

The bureaucrats of the time were anxious that the Indians embrace European values, and worried at the slow progress, so in 1856 a commission of inquiry investigated the failure of assimilation efforts. "There is no inherent defect in the organization of the Indians which disqualifies them from being reclaimed from



Indian life on the plains, a European vision, pre-MGM.

their savage state," reported the commissioners generously. "The attentive eye will observe a progress, slow it is true, but not the less steady, towards improvement . . . With sorrow, however, we must confess that any hopes of raising the Indians as a body to the social or political level of their white neighbours is yet but a glimmer and a distant spark."

Something more was needed, so in 1857 a definitive step was taken which seemed to mark the resolution of the long argument about whether Indians should be isolated or assimilated. This was the passing of "An Act for the Gradual Civilization of the Indian Tribes in the Canadas" whose purpose was to encourage Indians to become Canadian citizens, or, at least, no longer to regard themselves as Indians. For the first time this Act spelled out a method by which Indians could (in the words of the Act) become "enfranchised".

This is still Canadian law, and it may be unmatched anywhere in the world, for normally if one is born Chinese, African, Arab or whatever, one remains so for life. In Canada, however, from 1857 Indians were encouraged to think so poorly of their own race that they could become fully acceptable in Canadian society only by renouncing their own people.

Under the original law this step was open to "any male Indian over 21, sufficiently advanced in the elementary branches of education, of good moral character, free of debt", and able to speak either French or English readily and well. On application such a person would be examined by a government official and a missionary, and when his application was approved by the governor he would be "no longer deemed an Indian." On enfranchisement the applicant gave up all payments due under treaties, but received ownership of 50 acres of Indian land and a year's annuities or revenues.

Ten years after this law was passed few Indians had taken advantage of it, and in 1868 the new government of Canada passed another Act "designated to lead the Indian people by degrees to mingle with the white race in the ordinary avocations of life." The following year, in yet another Enfranchisement Act, an Indian woman who married a non-Indian was for the first time excluded from Indian status, and so were her children: this has been an agonizing issue in Indian politics ever

Public Archives of Canada

A Blackfoot chief, last century.

since, and has only recently been resolved by the passage of amending legislation. Male Indian leaders have been much criticized because of their obscurantist attitudes towards this discriminatory law, but it is not generally known that in 1872, only three years after the law was introduced, the General Council of Ontario and Quebec Indians asked that "Indian women may have the privilege of marrying when and whom they please without subjecting themselves to exclusion or expulsion from the tribe."

If enfranchisement had worked as the authorities of the time hoped, there would soon have been no Indians left, and the reserves could have been broken up and parcelled out to colonists. But searches made of government archives by researchers working in the 1970s suggest that between 1859 and 1920, only 250 Indians chose to enfranchise under the provisions of the Act. There were probably many reasons for their reluctance. For example, Indians did not relish becoming liable to taxation, and Indian bands seldom gave their consent to enfranchisement, as they were required to do under the Act. But such obstacles were removed in the 1880s, and Indians still did not flock to enfranchise.

By the 1920s the authorities were so fed up with the dogged recalcitrance of the Indians that a law was passed providing for compulsory enfranchisement of any Indian considered fit for it. "I want to get rid of the Indian problem," said Deputy-Superintendent-General of Indian Affairs, Duncan Campbell Scott (a noted poet of the time), to the House of Commons. "Our object is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question, and no Indian department."

Compulsory enfranchisement was dropped in 1922, but reintroduced in 1933, and was even retained in the first draft of a new Act in 1950 (though the compulsory element was dropped in the revised Act of 1951).

In a democratic society a bad law that doesn't work is usually dropped: that the enfranchisement law persisted for 130 years is striking evidence of the lack of democracy in the administration of Indian affairs.

The basic legislation regulating Indian life was in place by the time Canada was formed in 1867, and thereafter the government pursued a policy of relentless interference in the daily lives of Indians everywhere in the country. When legislation concerning Indians and Indian lands was consolidated into the Indian Act of 1876, paternalism was given its head. The Indians were given the status of minors, with the government as their guardian. The Act contained 100 separate sections to permit Indian life to be controlled in detail. Not even a nodding respect was paid to Indian cultures, ways of living, beliefs, attitudes or opinions.

By this time in much of the country the Indians were already out of sight and out of mind. Sir John A. Macdonald's National Policy for settlement and development of the West depended on getting the Indian and Métis people to settle down peacefully and cultivate farms. The destruction of the buffalo did the work for him. Though even after the signing of the prairie treaties Indians were reluctant to retreat to the reserves, by the early eighties they were so impoverished and hungry that they had no option.

Macdonald wanted to pacify the Indians, turn them into white men, and in general to get rid of them as a coherent entity. But he didn't want trouble and rebellion, so he opposed their exploitation by merchants, settlers or speculators, tried to stop people from selling them liquor, or taking their women in prostitution. He was more than willing, on moral grounds, to interfere with Indian life, because he hoped an obedient, well-behaved and prosperous Indian population would help develop the nation.

In 1874 he appointed Lawrence Vankoughnet to head the Indian department, and left him to it. Vankoughnet ran the show for 9 years, eventually dictating almost all of the decisions taken by his department, and irrevocably setting Canadian policy on a doctrinaire, restrictive, and one might say, inhumane course. He had rather a poor view of Indian life, personally kept

cutting the rations given to starving reserve Indians, while also cutting the aid designed to make them agriculturally self-sufficient. "No encouragement should be given by you," he wrote sternly to one of his agents in 1880 (when Indian desperation was almost at its peak), "to idleness, by gratuitous aid being furnished to able-bodied Indians".

Even under the pressure of starvation, the Indians so stubbornly resisted assimilation into the white ethos that the authorities slowly tightened the repressive screws until by 1920 the Indian Act had 200 sections, and an Indian could scarcely sneeze without obtaining written permission from the Superintendent-General.

It was during these years that the immense decline in the spirit and quality of Indian life in Canada occurred. Even a brief summary of the dossier is startling:

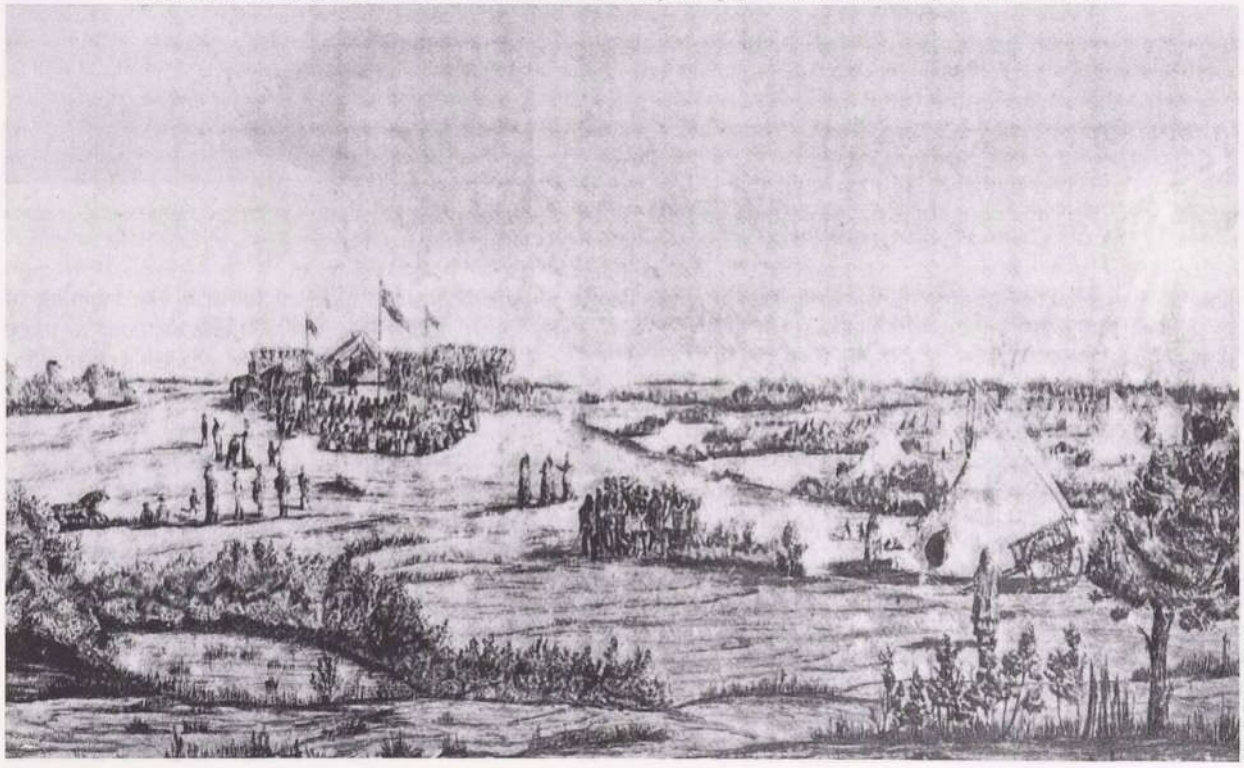
Liquor: The laws of the 1880s forbidding Indians from consuming or possessing liquor were gradually pushed further until anyone who was found to have liquor, to be drunk, or to be gambling inside an Indian tent, house or wigwam could be ordered out by the Indian agent, and if he refused to go, be arrested and become liable to imprisonment. It was a crime for anyone to give liquor to an Indian, and a criminal offence for an Indian not to tell the authorities where he obtained the liquor.

Inheritance: Inheritance laws were imposed by the Indian Act: one third of the estate to the widow and the rest to the children. The Superintendent-General could remove the widow from administration of the estate and appoint anyone else, since under the law he was "the sole and final judge of the moral character of the widow."

Selling of goods: In the 1880s western Indians were prohibited from selling any grains or root crops without permission, nor was anyone allowed to sell anything to an Indian without permission. Indians were not allowed to sell to anyone off the reserve anything given to them by the government: for example, if an Indian was given a cow as an annuity payment, and it had a calf, he could not sell the calf without permission, and if he did, the calf could be seized from the person who had bought it.

General measures: As conditions in western Canada became more desperate through the 1880s, the government grew more nervous about the possibility of an uprising. In 1884 it was made an offence "to incite or stir up, any three or more Indians, non-treaty Indians or half-breeds" to make any request of a civil servant "in a riotous, routous, disorderly or threatening manner, or in a manner calculated to cause a breach of the peace," a law that left much to the interpretation. It was forbidden to sell to Indians ammunition or cartridges (once given by the government as presents) without written permission, and authority was taken to prevent some Indians from leaving reserves without a written pass describing the length, duration and pur-

The signing of Treaty Number Six at Fort Carlton, 1876, from a painting by Frank Beiler, secretary to Alexander Morris.



Manitoba Archives

Hudson's Bay Company

In the Sun Dance, hooks were placed through the chest muscles of the celebrant.

pose of the trip. The Vagrancy Act was strictly applied to prevent Indians from "loitering" around towns near their reserves (in other words, Indians could be, and often were, bundled out of town).

Education: In 1884 power was taken to secure compulsory attendance of all Indian children in school, but with an added provision for "the arrest and conveyance to school and detention there" of any children who might be prevented from attending by their parents or guardians, (who, in such a case, would be liable to imprisonment). Indian agents were given authority to "commit" Indian children to boarding schools, and keep them there until they turned 18, against their will and that of their parents. Any annuity moneys paid out by the government for such children could be taken from the parents and given towards the running of such schools. The wording of these sections is more consonant with committal to prisons than with education. It is arguable that the system of native schooling under these laws was among the most arbitrary and indefensible institutions ever established in Canada.

Health: When the government decided to take an interest in Indian health it was more generous with the powers with which it armed its civil servants than with the money it spent on curing sick Indians. Indian agents had some difficulty persuading Indians to go to a white man's hospital so the authorities were empowered to enter any Indian home, destroy any building they might think unfit for human habitation, prevent overcrowding ("by regulating the number of

dwellers"), control the coming and going of all persons to any "infected localities", stop people from moving from one place to another, and remove anybody in the interests of the general health. Objections were not tolerated: the Superintendent-General's viewpoint prevailed over any existing band regulations or rules. The result of all this solicitude was that Indians developed the worst health of any group in the country.

Entertainments, festivals, amusements: As early as 1884 powers were taken to forbid the Potlatch ceremonies on the West Coast, and in 1896, the Sun Dances of the prairies, prohibitions which lasted until 1951. Whole books could be written about the history of these absurd laws. The Potlatch was banned for 70 years, but never eliminated. But these were only two among many other observances and enjoyments that were forbidden to Indians. Western Indians were specifically forbidden to take part in "any Indian dance" outside the bounds of their reserve; or "in any show, exhibition, performance, stampede or pageant in aboriginal costume" without the consent of an Indian agent. Anyone who either induced an Indian to do such a thing or employed him could be imprisoned for a month and fined, even if the show in question never took place.

In 1930 power was taken to stop an Indian from "misspending or wasting his time" in a poolroom, whose owner could be required to ban entry to such an Indian for a year on pain of 30 days in jail, for both the offending Indian and the owner. By this time Indians were forbidden from drinking, gambling, dancing or playing pool.

Management of lands: In the first two decades of this century in western Canada in particular, Indian lands were still often felt to stand in the way of expansion. By 1910 a western commissioner of Indian affairs considered the reserves to be "much in excess" of what Indians could ever work profitably and recommended they should surrender "idle" lands and use the money to improve living conditions. So in 1911 a new law provided that any reserve which adjoined a town of at

Indian schoolboys on their best behaviour, Metlakatla, British Columbia, nineteenth century.

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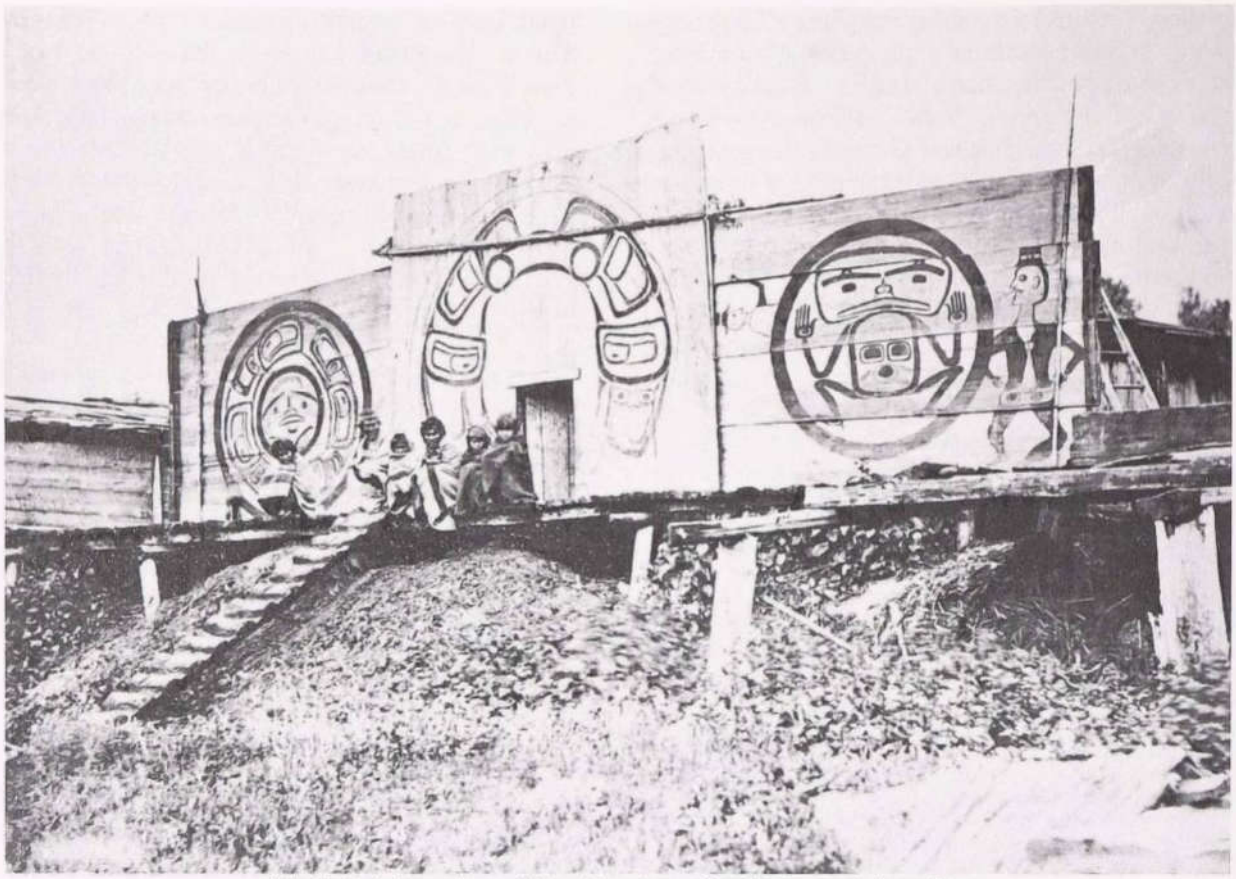


British Columbia Archives

Bella Coola Indians at home, 1870s, with an image of a white man on the house front.

least 8,000 people might be expropriated even though the Indians opposed it. Henceforth a judge (who was ordered to "have regard to the interest of the public and the Indian band") could order any Indians to be removed from any part of a reserve, compensated for the improvements they had made, and placed on some other reserve set aside for them.

The undeveloped character of much Indian land was a persistent irritant to settlers, so in 1918, using the excuse of the war, power was given to the Superintendent-General to lease all uncultivated land in an Indian reserve without obtaining permission for the surrender from the Indians. Whether the Indian occupant liked it or not, the authorities could send someone in to cultivate the land, the cost to be charged against the capital funds held by the government on the band's behalf.

Fighting for their rights: The British Columbia Indians argued their case for aboriginal rights through the Parliament of Canada in 1927. Not surprisingly, their rights were held to be "more or less fictitious", but Parliament wanted to hear no more talk about Indian rights, so hurriedly in that same year a law was passed making it an offence for anyone, Indian or non-Indian, to raise money for the purpose of arguing Indian rights. This is perhaps one of the most reprehensible acts in the history of Canadian democracy.

This is a formidable dossier of repression conducted by the government of Canada against the Indian people. No other aspect of Canadian history so bleakly illustrates the truth of the old adage about the road to hell being paved with good intentions, as does Indian policy. Because, after a century of such "protective" legislation, the Indians of Canada — robbed of the means to make a living, deprived of their culture, beliefs and even their language, denied their civil rights as citizens of Canada, and systematically stripped of their personal and collective autonomy — had been literally plunged into a sort of hell, the full horror of which remained unrecognized by other Canadians until it was revealed by a Parliamentary inquiry after the Second World War.

Indians returned to Canada after having fought for freedom in the Second World War to find that they were not allowed to vote, to enter bars, own land, buy or sell their produce freely — and in some places were even refused entry to hotels, restaurants and cinemas. When they objected, once again that persistent theme of Canadian history came to the fore — "something should be done for" the Indians.

So early in 1946 Parliament established a Joint Committee of both Houses to consider the Indian Act, with particular reference to treaty rights, band membership, enfranchisement, taxation, education, "and any other matter or thing pertaining to the social and economic status of Indians". The committee's hearings occupied the next three summers, and marked the re-emergence of Indians into the full light of the Canadian political consciousness. The testimony was shocking, at last brutally drawing the attention of the Canadian public to the appalling conditions in Indian reserves that had been created by 100 years of well-intentioned paternalism.

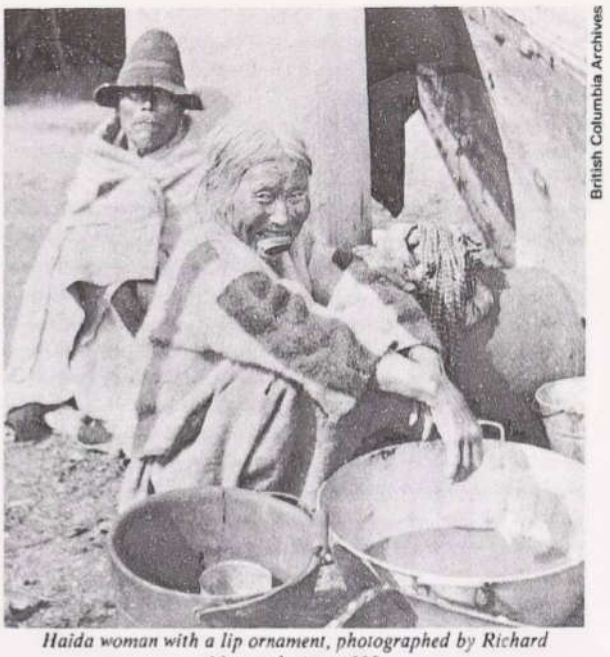
On the first day of the hearing the Rev. Peter Kelly and Andrew Paull, who had been giving leadership to B.C. Indians ever since 1916, knocked on the committee room door, and demanded to be heard.

"I stand before you this morning," said Mr. Paull, "not as a suppliant. I stand here before you representing somebody your equal . . . Let us get that understood before we go any further. I might as well warn you I am going to say some disagreeable things."

Their appearance, wrote historian Forrest LaViolette later, represented "the first full expression in Canadian history of high-quality Indian leadership", indicating that Indians had to a large extent become Canadianized and were anxious and ready to play a full role in the nation.

Kelly identified three political groups among Indians: those who were content to remain wards of the state, those who wanted the advantages of civilization and progress without the responsibilities, and those, like himself, who wanted to profit from the spiritual and material values of modern society, and to shoulder their responsibilities, "who want the rights of citizenship, but do not wish to surrender their hereditary rights all in one stroke." This third group provided the most forceful leaders, and it is their view of the future which has become the basic political stance of Indian leaders of the present day.

These Indian spokesmen came out of a traditional opposition to assimilation that had been dogged, quiet and patient, but had never made much impact on the political system. For instance, the Six Nations never accepted the Indian Advancement Act of 1884, which set up the band council system. Their response was to renew their Council Fire, and re-elect their hereditary chiefs. "The Indian Act only breeds sorrow, contention, hatred, disrespect of family ties . . ." wrote the *St. Regis Mohawk* in 1894. Five years later, St. Regis still had not accepted council elections, twice frustrated efforts to hold them, seized the Indian agent, drove police off the reserve. An unarmed hereditary chief, Jake Ice was shot and killed by a policeman — one of the many unsung heroes of the long Indian resistance.



British Columbia Archives

Haida woman with a lip ornament, photographed by Richard Maynard, circa 1885.

Out in British Columbia whose provincial government always rejected the idea of an aboriginal right, the Nishga never at any time ceased to press their claim to ownership of their traditional lands. They sent a deputation to the provincial capital in 1887 and a commission was despatched northwards to "hear [the Indians'] views, wishes and complaints, if any."

"I am the oldest man here," said an old blind man, Neis Puck, during the hearings, "and I can't sit still any longer and hear that this is not our father's land. Who is the chief that gave this land to the Queen? Give us his name . . ."

Three times before World War I they sent delegations to England. In 1916 Paull and Kelly organized B.C. Indians to oppose the cut-off of Indian lands (which is only now being rectified). In 1926 they forced a Parliamentary inquiry, to no avail. (The Nishga persisted until in 1973 they finally got a decision out of the Supreme Court).

Whatever qualities they may have been thought lacking in, the Indians during all these years showed immense patience. Treated as a disappearing people, they never disappeared. But they didn't prosper either. The story that was told in Ottawa in 1946-48 by the long parade of Indians, missionaries, officials, teachers and scientists indicated how even their stubborn resistance had failed to halt their decline.

The evidence showed that Indians were dying in huge numbers from diseases caused by poor living conditions, lack of sanitation and under-nourishment, diseases that long ago had become insignificant among white Canadians. Indians still had death rates from measles 46 times greater than whites, from whooping

National Museum of Canada Neg. No. 36002

B.C. Indian leaders visit Ottawa in search of rights, 1916 — and not for the last time.

cough 30 times greater, from influenza 12 times, tuberculosis 17 times, pneumonia eight times, and so on. An account given by a medical team which studied the health of 400 "bush Indians", as they were called, in northern Manitoba, was even more shocking. "The majority of the Indians we saw were sick," said one doctor in evidence. "They were not sick according to lay opinion, but when we examined them carefully from the medical standpoint, they had so many obvious evidences of malnutrition that if you or I were in the same condition, we would demand hospitalization at once.

"We were struck with the inertia . . . the lack of initiative, the indolence of these people. Physically, they shuffled about, they moved slowly . . . It was obvious their mental processes were going at a very slow rate . . . We found in one particular band the TB death rate was 50 times the rate among the white population of Manitoba . . . Infant mortality among one band was forty times the rate of a well-regulated white district in Canada."

Lack of decent food was blamed for these appalling conditions. An Indian hunter who 40 years before would have started off for his season in the bush with 100 pounds of flour for himself and his family, was now taking 600 pounds, because of the diminishing availability of game. The doctors calculated that some 85 per cent of the calories taken by these people came from white flour, sugar and lard, a diet extremely deficient in protein. As a result they were receiving only 100 milligrams of calcium compared with the 900 needed for minimum good health; only one-third of a milligram of thiamin, instead of one-and-a-half milligrams; only 235 units of vitamin A compared with 5,000 needed; only 10 units of vitamin C instead of 75. Not much wonder that these Indians were said to be of smaller physique than they had been 40 years before.

An Indian agent testified that when members of the Mistassini band in northern Quebec were examined in 1941, 60 per cent of them were found to be "exhausted". In northern Ontario, reported an MP after a tour of

half a dozen remote reserves: "Indians living on these poorer reserves are providing nothing for the future, but what money is earned is spent from day to day. Their children are poorly clothed and greatly undernourished." He read a letter from a teacher complaining that no one on these reserves was receiving any training that would fit them to make a decent living, though the Indians were capable of and eager for such training.

The Indians of the Fort à la Corne reserve, Saskatchewan, sent an eloquent brief arguing that provincial controls on trapping and hunting had plunged them into destitution. "The Indian is not himself, the way he used to be . . . We are in want of the food we are accustomed to. We are in a dormant or torpid state, undernourished, weak, without energy and of low vitality. The people say Indians are lazy, but we can have no ambition in the state we are in now. We lack the vitamins that will help us become a strong and healthy people."

The Canadian Welfare Council said Indians were not getting social services equal to those given other Canadians: greater concern was shown for the diet of prisoners in penitentiaries. Indian housing was so appalling they had become "a race of slum-dwellers".

Of course the picture was not all so black. Some Indians were reported to have become relatively prosperous through agriculture. Those in Caughnawaga, near Montreal (the oldest established reserve in Canada) were famous for their work in high steel construction. Many former buffalo hunters on the plains had become ranchers, raising horses and cattle. On the west coast Indians were successful fishermen.

Three of the largest reserves were around Calgary: conditions varied greatly among them. The Blackfoot had good land, had leased much of it to white farmers, had established a trust fund of almost $3 million which bought their daily rations of flour and meat. They mined coal, sold it to farmers, and their housing was "decent".

But the Stoneys, only a few miles away, had poor land. In 20 years vegetables planted there had come to maturity only twice. They had lived a harsh 60 years. As early as 1884, Sir John A. Macdonald admitted the soil in their reserve was no good for anything, and suspended the attempt to cultivate it. In the first year after treaty, the Stoneys continued to hunt in the Rockies but with the arrival of the CPR, the game quickly diminished. The settlers in the area did not want them hunting out of their reserve; the government

Cree Indians meet the "White Father", Governor-General Lord Byng, Edmonton, 1920s.

Hudson's Bay Company

Hudson's Bay Company

Blackfoot Indians in their finery, circa 1880.

kept cutting the ration distributed on the reserve. The message for the Indians was clear: they were wanted neither on nor off the reserve. Nor would the government give them more land. Competing claims for railways, mines, timber rights, forest reserves, gas fields, transmission lines, national parks, always took precedence over Indian hunting. Banff National Park shut off more Stoney hunting grounds. About a third of them took to wandering the foothills doing odd jobs for ranchers.

"This is at best a precarious existence," said a letter accompanying yet another petition for more land in 1943. "Lodged in teepees or deserted shacks, they have little protection against winter weather. They are undernourished, under-clothed, poorly housed. Yet even this is preferable to living on the reservation . . . The Stoneys are in the most pitiable plight of any tribe in Canada . . . 708 Stoneys are supposed to subsist, yet white men familiar with [the reserve's] resources assert that it would be incapable of sustaining more than seven white men." For the Indians this was the bitter fruit of the surrenders made in the treaties.

By 1947 Canadian Indians had 2.26 million hectares of reserve land, or an average of 17 hectares per head, rather less than a third of the standard laid down in most of the treaties. Only Saskatchewan and Alberta provided more than this national average; east of Ontario only one-tenth of that average was available. Half the Indian lands were forested; only 74,000 hectares under cultivation.

Indian income, at $126 per capita, was a fraction of the Canadian average. The $16 million that Indians earned a year included $5.5 million from wages, $4.5 million from hunting, fishing and trapping, $3.5 million from farm products. So 120 years of effort had not turned Indians into farmers. Relative priorities on the reserves were shown by a table that counted 430 churches, 266 schools, and 36 sawmills. The total parliamentary vote for Indians in 1945 was $6 million — the same as it had been in 1930. Medical and education spending were about equal at under $2.5 million each. The number of school-children had actually fallen since 1935 (though the population had increased). For 8,000 of the 26,000 school-age children there were no schools. Only 113 Indian children were recorded as having reached Grade 9 in 1946, and none higher.

The reserves were not all agreed on the type of education they wanted. Caughnawaga wanted rid of all religious influence "for the only thing the children learn is praying and singing and marching to church during school hours". A veterans' association on Manitoulin Island wrote: "We love our religion . . . and are very much opposed to the public system of education being foisted upon us . . . We wish to keep religion in our schools as we have always had it from the beginning."

Everyone was convinced the future lay with education. "Education, gentlemen, is the answer to the Indian's problem," said Guy Williams, secretary of the Native Brotherhood of B.C. "It will lead him into professions; it will lead him into trades; it will lead to a situation where the Indian will be self-supporting." But one of the few successfully enfranchised Indians, Brigadier Oliver Martin, an Ontario magistrate, pleaded for an education which could "give Indians pride in their race".

"You can never make an Indian into a white man," he said, " . . . but you can make an Indian a good Canadian, and it would not take very long if the task were undertaken with sympathy and understanding." He listed two dozen successful Indian physicians, engineers, clergymen, teachers, soldiers and businessmen.

Curiously enough, many of the whites who gave evidence, especially those who had been intimately involved with Indians, still expressed great confidence that they knew best. Typical was Father J.O. Plourde, of the Oblate Commission: " . . .the daily discipline in force in our residential schools which calls for rising at a given hour, spiritual exercises also at a stated time, plus breakfast, dinner and supper, intermingled with hours of class work and recreation, have in themselves more power to stabilize the nomadic habits of our Indian brethren than any other system of education." True, perhaps, so far as it went, but how far should it go? Archbishop H.J. Renison, after a lifetime spent

Naskapi Indian child, Labrador: The hope of the future.

in James Bay, said: " . . . in 100 years this whole problem will be solved . . . [The Indians] should be gradually absorbed into the stream of Canadian life."

To make sure this happened the noted anthropologist Diamond Jenness (perhaps reflecting his New Zealand origin), produced a plan for "the liquidation of Canada's Indian problem through, in effect, the liquidation of Canada's Indians — the abolition of all Indian schools and reserves, and enfranchisement of all Indians as full citizens enjoying all the normal rights and privileges of Canadian life".

Most of the Indian witnesses were sceptical of such solutions: many opposed enfranchisement outright, and rejected the whole idea of joining Canadian society as equals. The members of the committee did not really hear these arguments: they are only now, 40 years later, being given a hearing in Canadian discourse.

The committee in its recommendations tried to combine the traditional protections with a lessening of Indian isolation from Canadian society, but the subsequent Indian Act of 1951 was timid and disappointing. More than half its provisions remained enforceable at the discretion of the minister. Enfranchisement continued. The main lines of the policies which had reduced Indians to so pitiable a state were untouched.

Yet the 1946 hearing served its purpose. Canadians could no longer ignore the facts, nor the melancholy results of the paternalistic and racist policies of the previous 100 years.

The decline in numbers of Canada's Indians was halted around 1920, but their spiritual and physical revival did not really begin until the 1960s, and even today there remains a serious legacy of poverty and despair in many of the nation's Indian communities.

This history should be better understood than it is by contemporary Canadians. For it is still our responsibility, in what are supposed to be more enlightened times, to correct the mistakes of the past. ♦

Boyce Richardson is an Ottawa-based writer and film-maker.

THE ROAD TO CAMP TEN

A Chipewyan Profile

By Jake MacDonald

Little Duck Lake is a large island-dotted body of water about 150 miles northwest of Churchill, Manitoba. The lake is surrounded by high windswept gravel eskers and the last tattered remnants of the northern forest. Despite the sandy base of the soil there is very little drainage; the permafrost that resides just inches beneath the surface holds water everywhere in oval, mirror-surfaced pools that are guarded by hordes of biting flies and mosquitoes. Not far to the north are the vast forbidding wastes of the arctic barrenlands. Many of the first European explorers to visit this region looked upon it as a bleak and desolate place, and most Canadians would probably share that view today. For many years Little Duck was home to a people calling themselves "*EtOeneldilidene*" (Caribou-eater Chipewyan), and in recent years their greatest hardship has come not from their environment but, ironically, from those who would wish to rescue them from it.

The Caribou-eater Chipewyans are the easternmost group of the Dene (or Chipewyan) nation. The Chipewyans, in turn, are one nation within a vast array of highly successful, highly mobile Athapaskan-speaking peoples. Indian tribes as diverse as the Navajo, Sarcee and Chipewyan all speak a basically similar language. For thousands of years the Chipewyan Indians have occupied a band of territory comprising the northern boundary between the boreal forest and the arctic tundra. The western areas of this zone were occupied by the Yellowknife and Athabaskan tribes of Chipewyan Indians, while the eastern zone was occupied by the Caribou-eater Chipewyans. Occupying the same approximate areas as the Kaminuriak and Beverly caribou herds, the Chipewyan would divide into hunting groups in the fall and spring, and these hunting bands would spread in an east-west line along the anticipated migration path of the caribou. In some hunting societies, failure to secure game can spell starvation for the hunting band, but with the Chipewyans a high level of social organization guaranteed food for everyone, even those who failed to intercept caribou. Part of this system of social organization was derived from a tradition of arranged marriage. When a young man reached maturity, he would be sent away to live with another band, sometimes a long distance away. If the young man married a woman of that band, the network of social responsibility would be strengthened and a mutually supportive arrangement would be maintained.

In hunting caribou the Chipewyan would use an ingenious array of tricks and techniques. A rattle made of bits of antler tied together with a rawhide thong would rattle at his belt, imitating the clicking sound of the caribou's hooves. Along rivers and lakes the hunter would wait at traditional crossing sites. When caribou swam across the river the hunter would approach in a birchbark canoe and kill the animals with a spear, using this method by choice even when firearms became available. With the dead caribou the hunter would feed his family and relatives and derive the sinew and bone necessary for the construction of spears, bows and arrows and snares for the next hunt. With the caribou's hide dog harnesses and clothing and snowshoes would be made. Each year, as the hides wore out, the family's clothing would be renewed with a fresh set of hides. Geese, moose and fish also contributed to the Chipewyan diet. Using nets of woven rawhide and willow bark they would net fish from the lakes and rivers and in the winter a hole would be chiselled through the ice and fish would be lured within

Chipewyan family, Churchill, 1895.

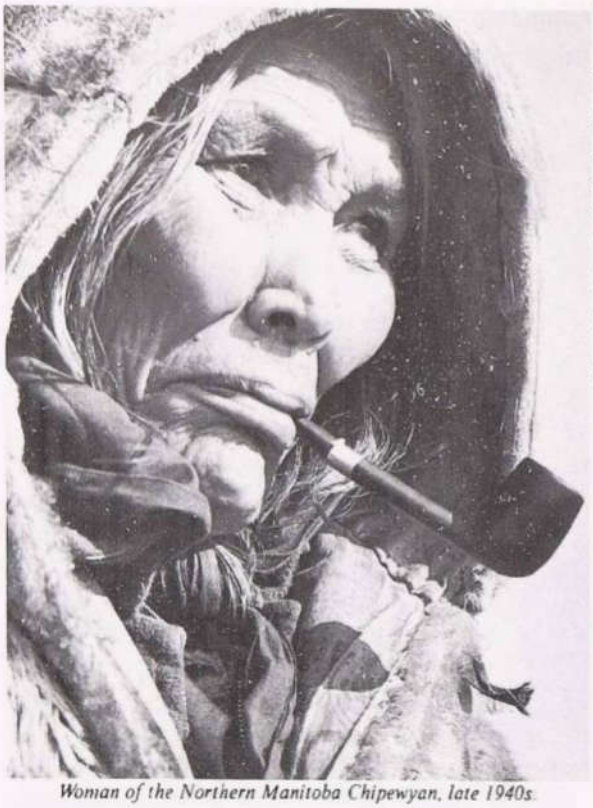
spearing distance with a dangling lure.

In the summer of 1717 Churchill Factory was built by the Hudson's Bay Company and trading relations were established with the regional natives. The Caribou-eater Chipewyans forged a truce with their traditional enemies, the Inuit and the Cree, and moved in to establish themselves as suppliers of meat and furs to the traders. An early HBC man described their efficiency as hunters:

> As a great part of the Factory provisions consists of geese killed by the Indians, the English provide them with powder and shot for this purpose . . . They shoot them flying, and so are very dexterous at this sport that a good hunter will kill, in times of plenty, fifty or sixty in a day. Few Europeans are able to endure cold fatigue, hunger or adversity in any shape with an equal degree of magnaminity and composure to that which is familiar to the natives of this country. After being out a whole day on a hunt, exposed to the bleakest winds and most penetrating cold, and that without the least thing to satisfy the calls of nature, an Indian comes home, warms himself at the fire, smokes a few pipes of tobacco, and then retires to rest, as calm as if in the midst of plenty.

The Chipewyan would hunt geese and caribou all summer, which they used for their own sustenance as well as for trade, and then they would set out for the traplines for the winter. Despite the bitter winters and the barren landscape the Chipewyans seemed to have few complaints. Our own modern sensibilities might have difficulty in imagining their lives to be anything other than "nasty, brutish and short", but Hearne noted that "The real wants of these people are few, and easily supplied: a hatchet, an ice chisel, a file and a knife, are all that is required . . . to procure a comfortable livelihood." In a similar vein, George Simpson commented that, rather than loiter around the settlement "The greater portion of them remain on their own barren lands, where they procure sustenance with little exertion".

This self-sufficiency did not inspire the wholehearted admiration of all observers. In a letter dated Red River, 20 May 1822 an anonymous Company man wrote: "I have made it my study to examine the nature and character of Indians and however repugnant it might be to our feelings, I am convinced that they must be ruled with a rod of iron, to bring them and keep them in a proper state of subordination, and



Richard Harrington for the Hudson's Bay Company

Woman of the Northern Manitoba Chipewyan, late 1940s.

the most certain way to effect this is by letting them feel their dependence on us."

Such initiatives arguably had little effect on a people who depended on the welfare of nature for almost all of their needs. In 1929 the railroad line to Churchill was completed and the Hudson's Bay Company, in the interest of the natives, decided to build another post inland. A post established on Caribou Lake was later moved to Little Duck Lake. A traditional Chipewyan campsite already existed at Little Duck Lake and it was an obvious choice for a trading post. Again a symbiotic community sprang up: a central post and store; and around it, in little clearings throughout the woods, were the tents and cabins of the Chipewyan families. The shelters were described by one observer as "small, but comfortable and scrupulously neat."

At mid-winter and mid-summer festivals were held, along the lines of the American mountain-man's "Rendezvous". On Treaty Day the Indian agent and a scarlet-coated Mountie would arrive for their annual visit and amidst the pomp and ceremony and pounding of drums each man, woman and child was presented with a crisp new $5 bill. Alcohol was unknown at the Little Duck Lake settlement and game was abundant. It seemed that this life could go on forever.

In 1948 the fur market suddenly collapsed in Europe and the Hudson's Bay Company began to face sharply rising costs in comparison to falling profits. Wilderness operations like the post at Little Duck were the first to close and in the mid-1950s the Hudson's Bay Company pulled out. The Department of Indian Affairs looked at the situation and decided, no doubt innocently enough, that since the Chipewyans would now be lacking the "various necessities required to live in that area", they should be moved closer to civilization. In a letter from Mr. R.M. Connolly, Regional Director of Indian Affairs in Manitoba to Mr. J.B. Bergevin, Assistant Deputy Minister of the Indian and Inuit Affairs Program it was explained that "The rationale for moving these very primitive people in 1957 was . . . to make schooling and other services available." In another letter Mr. Connolly explained that "The closing of the Hudson's Bay Store seriously affected the people . . . In addition they were a long way from a medical centre and no band member was competent or trained to provide medical attention. A degree of deprivation became apparent and recommendations were made that the band be transferred to Churchill."

In retrospect, this decision has been described as "ignorant" and "paternalistic" by many critics of the Indian Affairs Department. In fairness, it should be recalled that the government was then recovering from charges of negligence in its stewardship of the native peoples after a band of caribou Inuit were found starving in the Arctic. No doubt there were apprehensions that a similar famine could come to the settlement at Little Duck Lake. In any case the decision to relocate the band was consistent with Indian Affairs general policy at the time, which was described by Minister W.E. Harris as "The integration of the Indians into the general life and economy of the country. It is recognized, however, that during a temporary transition period . . . special treatment and legislation are necessary."

Indian agents travelled to Little Duck Lake and called a meeting of the Chipewyans, announcing that everyone was going to Churchill. According to Tommy Duck the agents promised that "They would take care of us and that there would be lots of caribou." Airplanes arrived and the 45 families that comprised the settlement were ushered on board and flown to Churchill. Because of weight restrictions the Indians were forced to leave sleds, traps, and canoes behind. After they arrived in Churchill they were taken to their new home, which had the unpromising designation of "Camp 10".

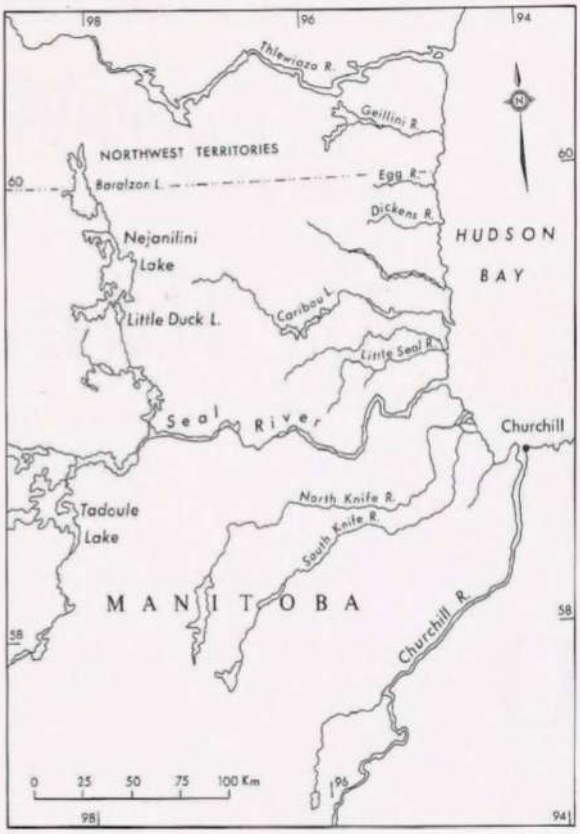
Camp 10 was a new subdivision of prefabricated buildings on a bare windswept promontory above the Churchill River built during 1957-58. Bordered on one edge by the river and on the other by a graveyard, Camp 10 was a clinically neat checkerboard of homes that was the envy of many locals, even whites. The

Chipewyans were assigned individual houses and the children were enrolled in school. Medical services were made available and community development officers were appointed, to assist in helping the people find employment. How many of us would not be pleased to receive a house free-of-charge from the government? The Chipewyans seemed to be in a fortunate position indeed. But in short order it became apparent that something was wrong, seriously wrong, at Camp 10. According to Ravindra Lal, who was a community development worker in Churchill at the time "Soon after the move . . . most of the men had already disposed of their traps and dogteams. Actually prices for longhair furs improved after 1958 and continue to be good today. Nevertheless no concerted effort was taken to revive trapping — possibly because the situation was altered so much. No longer did the whole family prepare to leave for the winter trapping grounds, and no longer did the trappers have the credit services extended to them earlier. The traps left behind in Duck Lake were not replaced . . . the rifles and ammunition were now too expensive to purchase. After a couple of winters of inactivity, drinking commenced."

In 1960 treaty Indians received the right to drink liquor legally and social problems in Camp 10 began to climb out of control. The same community worker observed that the rest of Churchill regarded the Chipewyans as "dissolute, rabidly drunk, slovenly, thieving and degenerate. Its members are said to be constantly in jail, lacking moral control and worthless for purposes of work. Camp 10 is said to be a dangerous place after dark. During drunken brawls, beatings with murderous intent take place almost conventionally. A common fable has it that even historically the Chipewyans have been an unachieving and an unstable lot, and an inferior kind of Indian."

The local RCMP found that approximately 75% of their work load consisted of coping with problems at Camp 10. Child neglect, alcohol abuse and criminality became the norm for Chipewyan life in Churchill. In 1969 Peter Yassie, Tommy Duck and a small group of elders in the Chipewyan community met and decided that to stay in Churchill was to die. Despite winter's severity they set out on foot for the bush and established a camp there for 7 people. In the early seventies a larger number of people left for the bush. Tadoule Lake was eventually selected as the site for their new experimental community.

Tadoule Lake is situated on the Seal River system, about 1,000 kilometres north of Winnipeg. The Seal River drains eastward towards Hudson Bay, about 300 kilometres distant. The Seal is Manitoba's last mighty river, untouched by hydro development. The river is inhabited by dozens of species of fish: large lake trout around Tadoule Lake, grayling, walleye, northern pike, whitefish and arctic char near the tidal estuary of



Hudson Bay. Caribou migrate by the thousands across the river, using traditional crossing points that are well known to the Chipewyans. The present settlement at Tadoule Lake is not entirely self-sufficient, but is said to be a vast improvement over life in Churchill. At the foot of the dock is a sign that greets visitors. *Welcome to the Dene Nation. No Liquor Permitted Beyond This Point.* The people live in log cabins that they built themselves, small neat log cabins that are heated with oil drums converted to wood stoves. Current plans include the establishment of outpost camps for sports-fishermen, to provide guiding work for community residents, and the construction of an airstrip. Camp 10 still sits on the bleak promontory next to the graveyard above the Churchill River, with its windows broken, doors kicked in, abandoned. ♦

Jake MacDonald, a Winnipeg writer, has spent a considerable amount of time with the Chipewyans of Tadoule Lake.

SELF-HELP AT SERPENT RIVER

The Voice of Missahba

By Jean Sangwine

Ojibwa legends, like Greek myths, deal with universal truths such as the struggle between good and evil. There is for instance, the story of Windigo, whose cry of evil and death still chills the night for many of Canada's native people. It is the cry of despair which leads to alcoholism, violence, and suicide. In the legend, however, Windigo is opposed by Big Goose, an ordinary hunter who receives power from the medicine man and becomes the giant, Missahba. Today, the voice of Missahba is also heard. It is heard wherever native people, with a clear sense of their identity, make plans and take steps to achieve their goals. The members of the Serpent River Indian Band, 80 miles west of Sudbury, are engaged in such a task.

The band proclaims its message from a large billboard on the Trans-Canada Highway (Number 17) as we reach the half-way mark between Sudbury and Sault Ste. Marie. The sign states confidently: "The Serpent River Trading Post — Owned and Operated by Indian People." We brake the car beside a grassy space with white teepees and picnic tables. A curved path leads back to the trading post flanked by a poplar bluff, its squared logs honey-coloured in the sun.

Two impressions are dominant as we go inside: the fine quality of the stock and its meticulous arrangement. We walk down a wide aisle past a case of jewellry — turquoise and amethysts — mounted in silver. Beyond the jewellry, there are racks of Arctic parkas and moosehide jackets. In another section, obviously a popular spot, parents and children are trying on beaded moccasins and gauntlets.

Gilbert Oskaboose, the manager of the post, joins us as we are examining a sculpture. The piece has attracted us by its humour: a stocky human figure is seated with mouth wide open while six small children and a dog happily clamber over its back and shoulders. "That's the Storyteller," the manager informs us. "According to Ojibwa myth, he — or she — could turn into a bear." He remembers that the sculptor, Anne Beam, is the wife of the internationally famous artist Carl Beam, and shows us an earthenware bowl. In the depths of the bowl walk three shadowy figures, as if coming out of a mist, the central one wearing the horns of a shaman or medicine man. "Carl has had formal training in turning pottery on the electric wheel," Oskaboose tells us, "but he's gone back to hand-made open-fired pottery. He's trying to discover the old things in Ojibwa culture."

The account sheets at the Trading Post indicate that it could not stock only native crafts and survive financially. Accordingly, the shelves display some select non-native products such as leather purses, maple-sugar products, and handmade quilts. But Oskaboose feels a primary commitment to original handmade Indian crafts. There are, for instance, the baskets: Cree birch-bark, Ojibwa ash and quillwork, and Mic Mac; the ceremonial masks; the braided ropes and coasters made of sweetgrass. Oskaboose pauses to pick up a tamarack goose, its gentle form and drooping head woven from small branches of tamarack. "They're nice, and they smell nice, too."

Gift shows and trade shows help the staff at the Trading Post to maintain widespread contact with craft producers. "Locally," says Oskaboose, "there's the moccasin telegraph. People hear about the post by word of mouth and drop in with samples of their work." He draws our attention to a small picture in a rustic frame: "That's an art we've almost lost. A woman near here creates the design by biting birchbark." A companion picture is also unusual: tufts of moosehair have been shaped, or sculpted, with scissors to create an embossed floral pattern on velvet backed by canvass.

The trading post was established to preserve native crafts, to operate as a viable business and to train band members in modern business procedures.

If Oskaboose knows what he wants to preserve, he's equally clear about what he rejects. He says, "I do not want to see any product of inferior taste or quality, that reflects badly on native people, their ways, their lifestyles, their beliefs . . . I categorically reject canoes that glow in the dark, turkey-feathered headdresses, and chocolate-coated totem poles." He pauses. "As you see, he observes, "I'm not your typical silent Indian. There's so much that needs to be said, and it all pours out." Oskaboose introduces us to Patricia Squires, his secretary/bookkeeper, a quietly competent young woman.

Important in the thinking of these two senior personnel is the fact that the Trading Post is a project conceived, endorsed, and supported by the entire Serpent River Band. This has been possible because of the nature of local government. The Band elects its chief and council every two years, giving these representatives considerable power during their term of office to make decisions regarding the welfare of band members and also the management of land and resources. The council has appointed a board of directors for the post made up of band members. Oskaboose, himself, answers to the chief. ("Admittedly," Oskaboose interjects with a twinkle, "relationships are sometimes close. For instance, I'm both manager of the post and a member of the council.")

As early as 1980, the council identified economic independence as the band's top priority. Then, as a step toward this goal, it appointed an economic development committee charged with finding ways of creating long-term employment. The committee did a lot of study and planning and came up with the suggestion that the band open either a gas bar or a variety store, as a partial solution to its problems.

The recommendation seemed to make sense against the conditions that existed, and still do exist on the Serpent River Reserve. "We have about 27,000 acres, but it's hardly suited for agriculture," Oskaboose says flatly. "It's mostly swamp and bush." What's more, there's not much timber, the land's capability to sustain wildlife is limited, and the lakes and rivers are polluted. As for the people themselves, more than half of the band's four hundred status Indians have been forced to seek jobs beyond the reserve. In 1984, a job force of only 95 men and women remained, most of them in the village of Cutler, and 30 unemployed.

The band responded to the report of the economic development committee by hiring a Toronto firm to conduct a feasibility study of its proposals. As it turned

The post was built by a local contractor, assisted by members of the Serpent River Band.

out, the study concluded that neither a gas bar nor a variety store should be attempted in that location, but it also recommended that an arts and crafts retail outlet could be a viable alternative. Band members were enthusiastic about the new suggestion, partly because arts and crafts had always played a significant role in their community. They also felt the project would not force technological changes or a loss of cultural values in their lifestyle. The proposal was accepted, the Trading Post to be financed, initially, through band trust funds and government grants.

When Oskaboose and Squires were hired shortly thereafter, their reaction was near panic. "It was Nightmare City," says Oskaboose. "I'd been a journalist, and Pat had studied bookkeeping in Sault Ste. Marie, but neither of us had experience in business administration." Squires recalls that Clifford and Eleanor Whetung of the Curve Lake Reserve near Peterborough, provided invaluable assistance in the beginning. "The Whetungs have operated their Ojibwa Crafts Store successfully for forty years," says Squires. "They told us the things we needed to know most in the day-to-day operation of the business. Things about selecting crafts and estimating the amount of stock to keep on hand."

Prosaic though such tasks may seem, they constitute the drama in the story of the Trading Post at Serpent River. As Oskaboose says, "We believed that the time had come to do something new — to move beyond our traditional role as stringers of beads and chewers of moccasins into the marketing of our own crafts." The move entailed a two-fold challenge; the band had to show that it could operate the Trading Post as a viable business enterprise; at the same time the band had to train its members in all aspects of the retail trade.

Looking back on the two tourist seasons that have elapsed since the Trading Post opened in May 1985, Oskaboose and Squires admit to some mistakes and problems. There were those Arctic parkas, for instance, that were set out on the porch in front of the post as an advertising strategy. "We won't do that again," says Squires. "Some of the parkas faded in the sun." There were miscalculations in the inventory, too. At the end of the year, for instance, they found themselves overstocked on foodstuffs such as maple sugar, which have a relatively brief shelf life. An understandable caution in their first years of business also led them to order short in regard to some popular items. When stock ran out in these areas, customers were greeted — temporarily at least — by empty shelves.

However, such errors can be charged to inexperience and corrected. Harder to resolve, and more sensitive in nature, are problems which arise through differences between the traditional Indian emphasis on human qualities and the statistical demands of a balance sheet. The pricing of craft items is such an area. "On the one hand," says Oskaboose, "there is this Indian thing about giving everything away. On the other hand, the crafts people may feel that the recognition of superior workmanship should be reflected in high prices." While the manager would like to give his primary producers top dollar for their work, he is forced into presenting the retailer's point of view. He says, "Our people have to learn that if their prices are too high, they will do themselves out of markets. Also, we have to get across the idea that retailing means a markup. It's the fee you have to pay for access to the buying public." Oskaboose pauses, and sighs. "Still, I feel it's an over-simplification to tell them we're operating a business."

Gilbert Oskaboose and Patricia Squires are working for the entire Serpent River Band.

". . . she makes the baskets for the satisfaction the activity brings her. . ."

It is not only on Indian reservations that problems arise in working with those closest to you. But the Trading Post is vulnerable in this respect, for tourists have repeatedly expressed their interest in local crafts. "But what do you do," Oskaboose wonders, "when a member of the band, perhaps with failing eyesight, comes in with an article of inferior quality? Do you say it's unacceptable and incur the resentment of friends and relatives?" Then there's the matter of those high quality Ojibwa baskets which a local woman produces. Tourists love them. But this creates problems because the woman is not interested in meeting quotas and deadlines. Like many fine craftsmen, she makes the baskets for the satisfaction the activity brings her, and perhaps to earn a few dollars on the side. Is it possible to persuade such a person to produce a steady supply of items in return for the assurance that the Trading Post will accept all she can produce? Time will tell.

In the meantime, there are some indications that the initiative of the little Band at Serpent River is justified. The Trading Post opened on target and has operated successfully for two seasons. It has provided employment for a staff of up to seven band members: two full-time employees, two sales clerks who work eight months a year, and two or three students who provide extra assistance during the peak months of July and August. Also important, the project has provided training for employees at both managerial and sales levels, not to mention the on-the-job experience they acquire in operating a business. "And there's this added bonus," Oskaboose notes with satisfaction. "We're able to provide work for hundreds of our own crafts people."

But the manager of the Serpent River Trading Post is not giving way to premature optimism. "At times it seems that we're keeping the crafts alive," he allows cautiously. "But at other times we still seem to be pandering to misconceptions about Indians. We still have a long way to go in meeting our objectives." These objectives include the challenge to refine their retail strategies. To this end, for instance, the Post is trying to develop a clear customer profile — a composite of American tourists, other foreign tourists, Canadian tourists, and local patrons. There's also the financial challenge to come out from under the umbrella of government grants in 1987. But the biggest challenge continues to relate to the perceptions of the Band members themselves. Can they continue to preserve, not only their crafts, but the cultural values they cherish, as they compete in a technological society? That indeed, is a question for the shadowy shaman at the bottom of the earthenware bowl. ♦

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Michabous and the Colonel's White Beaver

An Indian came to Michilimackinac to kill the commandant — why did he hesitate?

By Charles Garrad

More than two hundred years ago, an Ojibwa Indian trapped a yearling beaver on an island in Lake Michigan. This began a sequence of events which changed his life and can perhaps best be explained in terms of traditional religious beliefs common to many upper Great Lakes peoples. Because of this beaver, the Indian had considered committing murder and risking his own life in consequence. Because of the Indian's belief in the beaver as a spirit, a museum in England today has a precious relic of the days of the British fur trade on Lake Michigan, and a British Army officer during the American Revolutionary period recorded an experience which suggests to modern researchers that he understood the Ojibwa traditional religious beliefs. That relic is the pelt of the beaver, expertly cured and still in excellent condition, and which among the many taken from Lake Michigan to Europe at the time remains unique because it is albino. At the time of its capture, and possibly even yet, it was the only albino beaver known from Lake Michigan.

The two Great Lakes named Michigan and Huron are joined by the narrow Straits of Mackinac, squeezed between Michigan's southern and northern peninsulae. To control the straits, the French built Fort Michilimackinac in 1715 on the south side and at the water's edge. From the fort north-east some eight miles lies Mackinac Island, and thirty-five or so directly west into Lake Michigan the archipelago island cluster of which the largest is *Amikiminis*. This Ojibwa name translated literally into English is rendered "Beaver Island".

The French gave up their fort to the British in the general surrender of New France, and the first British troops arrived in 1761, soon followed by such traders as Alexander Henry in 1763. It was in that year that the Ojibwa, dissatisfied with the change, cleverly surprised and sacked the fort. Their plan to take their English captives, Henry among them, to their base camp, was thwarted by the neighbouring Ottawa, but Henry learned that his intended destination had been Beaver Island, where the Ojibwa were known to reside.

By 1777 the situation was considerably changed and the upper Great Lakes Indians had become reconciled to the British. Much credit for this is due to the diplomatic talent of the American-born British commander then at Fort Michilimackinac, Major Arent Schuyler de Peyster, of the Eighth, King's or Liverpool Regiment. De Peyster was dedicated to promoting the fur trade by ending the destructive feuds between the various Indian bands, and he had become accepted as a trusted friend of noble chiefs. His admirable personal qualities earned him the rank of colonel of the regiment before it was recalled to England in 1785.

Among the baggage of the colonel and his Scottish wife were scraps of prose and poetry, for which he had a liking, testimonials and gifts from fur traders and Indians, including an extensive collection of native artifacts, and the pelt of an albino beaver. All these found a place in his wife's home near Dumfries, Scotland, to which the couple retired from military service in 1794. Here, the colonel no doubt reflected on his active and exciting life. Born in New York, he had crossed the Atlantic five times, the first when he was only fifteen years of age and in search of a British education, the remainder on military service. He had fought the king's enemies, French and disloyal American, with compassion and generosity on two continents, even including his own New York kin, whose siding with the rebels must have been a hard blow. He saw a second war in North America take the life of his

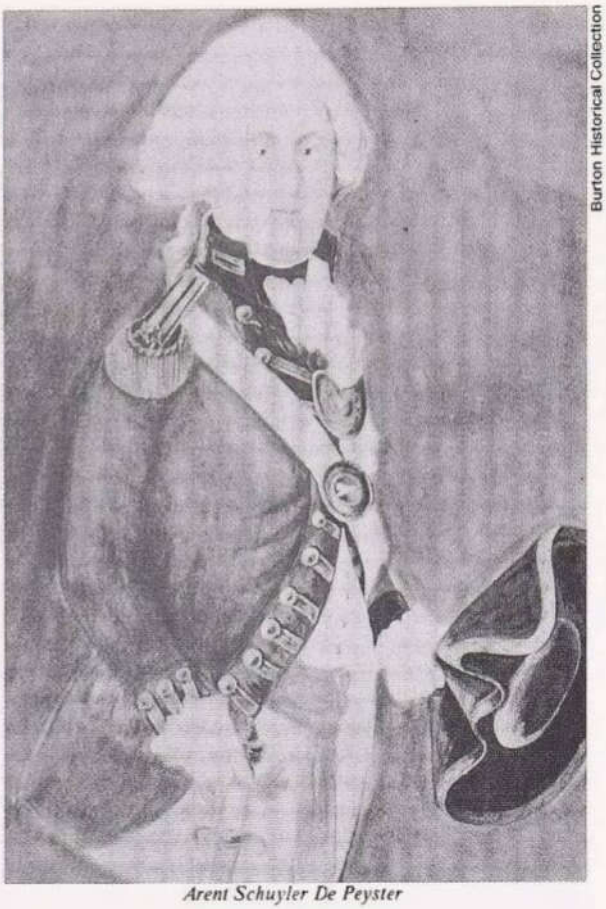
young protégé Isaac Brock, had been saddened by the loss of Nelson and concerned at the rise of Bonaparte. Yet when he published a book in 1813 it was a literary miscellany of poetry, prose and memories, dwelling much on Michilimackinac and the Indians he had known there, so many miles and years away. Thus it was that a book published in Scotland contained a vocabulary of Ottawa and Ojibwa Indian words. It was as a footnote to this vocabulary, refering to *amik,* meaning "beaver", that the first published reference to the albino beaver appeared:

> An Indian having told the interpreter that an evil spirit, in the form of a white beaver, had appeared to him whilst asleep in the greater Beaver Island, which desired of him to repair to [Fort] Michilimackinac, there to take his stand at the corner of the storehouse, and kill the commandant as he passed that way; — that he took his stand accordingly, for several days, but had not the heart to strike the fatal blow, and therefore hoped he might be forgiven, and sent out of the country — which Col. De Peyster, the Commandant, refused, but ordered him to go and winter in that island, and kill and bring him the skin of that *amik waubascaw* [white beaver] which had appeared to him. This the Indian accordingly performed, and the Colonel has the skin in his possession at present.

The colonel wrote a similar statement with additional details and attached it to the beaver pelt. At some point the pelt was placed in a glass-fronted frame, and later the handwritten affidavit was replaced by a typewritten version. The frame and the typewritten statement still survive, with the pelt, in the Merseyside County Museum, Liverpool, England, where the writer was privileged to closely examine them.

In 1822 the colonel passed to his reward and was buried near his friend and fellow poet Robert Burns. His wife and companion in the wilderness followed five years later. The assets of the childless couple fell to her relatives for disposal. At some point after 1843 the North American artifacts were placed in the care of the local Astronomical Society museum in the Dumfries and Maxwelltown Observatory. In the early 1930s this society had run its course and proposed disposing of its holdings. Five officers of de Peyster's old regiment subscribed together in a bid to purchase the de Peyster relics from North America and were successful. The albino beaver pelt was valued the highest in the collection, at £5.

From the acquisition of the de Peyster relics and their transfer to Seaforth Barracks, Liverpool, the Museum of the King's Regiment came to be. The albino beaver pelt, in its frame with Col. de Peyster's handwritten history attached, became item four in the museum's accession book. The entry included the entire



Burton Historical Collection

Arent Schuyler De Peyster

known history of the pelt, copied from Col. de Peyster's original, and at some later time a typewritten copy was made and the original lost. Discrepancies in the two later accounts suggest that one or both vary from the original, but both provide the additional detail that the interpreter, not identified in the 1813 book, was Joseph Ainsse, and conclude with the statement that the pelt was "The only white one ever seen in that part of the country".

In time, Seaforth Barracks were closed and the regimental collections were transferred to the City of Liverpool Museum, now the Merseyside County Museum, where they remain today, and among which the de Peyster collection from the North American Revolutionary period forms a significant part. Some of the de Peyster items, now all more than two hundred years old, have required considerable conservation and repair, but the albino beaver pelt remains in truly excellent condition, a remarkable testimony to the skills of the unknown Ojibwa Indian who prepared it in 1778. The fur remains kitten-soft and adheres firmly to the skin, the fur pure white. The pelt measures some 25" by 33", consistent with a yearling killed during its second winter. Spaced somewhat less than 2" apart around the pelt's perimeter are small holes made when the pelt was laced to a hoop for stretching, scraping

and curing in the ancient way. Whatever views the Indian who did the work had of the beaver as a fearful manifested spirit, the pelt was clearly accorded the finest traditional treatment.

Albinism is an inherited metabolic disorder resulting in the reduction or absence of colouring pigment in the skin, hair and coating of the eye. It occurs in fish, birds and mammals. In Ontario, albino beavers, moose, squirrels, groundhogs and birds have been noted. No frequency or distribution data seem to be available beyond the informal comment that in Ontario albino beavers have been noted associated with the far northwest drainages flowing south to Lake Superior. The single known Lake Michigan specimen would not appear to be from this genetic pool. No data on the occurrence of albinism among any wild species resulted from enquiries in Michigan. Beavers were reportedly extinct on Beaver Island in 1853, but are said to be flourishing there today, having been intentionally reintroduced.

Beaver Island was reserved for the Ojibwa for a further five years after the general surrender of area lands to the United States in 1836. In 1840 the Ojibwa population was 199, of which 35 were members of Christian churches and 18 still adhered to the traditional native religion. In 1854 the band had removed to the adjacent *Tagoning* (Garden) Island, and some few it was noted, remained "Pagans". The band still survives, its members residing on Beaver, Garden and other islands as well as the mainland. Of the current adherence to traditional native religious beliefs the writer has not enquired, but does suggest that the beliefs of the Indian who is principal to this story in 1777-1778 underlie and possibly explain his motivations and actions in regard to Colonel de Peyster, and go to explain the apparently curious inconsistencies and reversals in his behaviour.

It seems inconsistent that the Indian would prefer to regard an undeniably physical animal as a spirit. And why would he believe the beaver had spoken to him? Why would he obey the first of the beaver's two instructions (to go to the fort) but fail to comply with the second (to kill the British officer)? Why would he beg to leave the area (to escape the spirit?) and then reverse his stand and agree to return to Beaver Island and confront it? Why would he then return to Fort Michilimackinac to give the pelt to the officer? What authority did he accept that the officer had that was so compelling?

Some of these questions were addressed in an article published in 1973 by Dr. David A. Armour of the Mackinac Island State Park Commission. He suggested that the Indian's return to Beaver Island was "a special act of atonement", persuaded by de Peyster that by killing the white beaver he would "thus rid himself of his evil vision". Two Ontario researchers, John Steckley and the writer, have now attempted a new approach to these questions based on an attempt to understand the Indian's point of view as shaped by the native religious beliefs current at the time.

The first step in the development of the approach was to search the available literature to see what was recorded of the beliefs concerning white animals prevailing among the Indians of the upper Lakes at the time. The second step was to undertake a synthesis of the recorded beliefs in the hope of producing at least a concept of what our specific Ojibwa Indian in 1777 might have believed about white animals in general and white beavers in particular, and what he might expect would occur should he meet one. Finally, the conclusions of the synthetic model were applied against the events as recorded by Colonel de Peyster to test the degree of corelation. This approach, it is believed, was found considerably successful.

The search of the literature quickly revealed that the upper Great Lakes Oglala Sioux, Plains Cree, Algonkian Ojibwa, Ottawa and Pattawatomi, and the later Wyandot, who had been for a time neighbours in the upper Lakes to all these peoples, possessed a wealth of stories and, inferentially, beliefs, about white animals. These beliefs were often clearly shaped, although perhaps adapted to and portrayed within the existing traditional belief system of specific groups. For example, the general and universal concept of the benevolent spirit who transforms into a series of physical entities which are white or clothed in white in order to bring gifts and teachings to aid mankind, becomes to the Oglala Sioux the woman in white who brought the sacred pipe and instructions to aid the Sioux and then transformed into a white buffalo, the buffalo having an exceptional significance to the Sioux. A number of the stories involving white animals recorded earlier this century by C. Marius Barbeau among the Wyandot of Oklahoma clearly pertain to their seventeenth century wanderings among the upper Great Lakes Algonkians and show much borrowing from Algonkian belief. Barbeau's comment that among the Wyandot "a white animal is believed to have extraordinary qualities", and that the *uki* (spirit) animals are often mentioned as being white can probably be applied to all or most upper Great Lakes belief traditions.

The synthesis step allowed the construction of a reasonably consistent homogeneous belief model about white animals. White animals are perceived as the physical manifestations of spirit entities endowed with marvellous and magical powers, the temporary guises of gods, guardians, protectors, guides and heroes in their work of aiding man. Such entities visit humans to bring messages, instructions and teachings to aid them, and often bring a physical gift. To aid the conveyance of the gift and more effectively to impart the

This albino beaver resides in the office of the editor of The Beaver.

instruction the entity may adopt any appropriate transformation, assume human or animal form, change colour, undergo apparent death. The entities can sometimes be killed, and the instructions may include the killing or wounding of the manifested body, so that the Indian may obtain a part of it as a charm. Being eternal, the entities could resuscitate even if dismembered, or simply retransform. Entities visited humans in dreams, trance or awake states, spoke with human voice and language, and assumed human and animal traits at will. Their instructions were clearly and always promotive of the recipient's life, health and welfare. The nature of the instructions distinguished truly benevolent visiting spirit entities from malevolent tricksters. Other clues to identifying benevolent and malevolent spirits were found in the name retained during transformation, the assumption of exceptional beauty or youth, association with a white cloud (aura?), their manner, the compliance with known customary actions in the mode of contact with humans and their appearance close to their known home or places of origin.

It can now be suggested that, if possessed of these or similar beliefs, the Ojibwa Indian who encountered the albino beaver on Beaver Island in 1777 would regard it as the manifestation of a spirit who would somehow communicate with him intelligibly with instructions for his future benefit. He would not expect the instructions to be injurious to his life, health or welfare for this would betray the spirit as malevolent. However, it is possible to take this hypothesis further and suggest that because the instructions were conveyed by the beaver to the Indian in a dream, and because this occurred so near to Mackinac Island, and possibly because the spirit had chosen the form of a beaver, the Indian may have recognized the spirit specifically as a Supreme Being in Ojibwa belief, *Michabous*.

There have been recorded many varying renderings of the name Michabous, and many stories about him and his doings. Although the stories of him are often contradictory, he is established as a central and essential personality in Ojibwa myth and belief, with known habits, preferences and history. The following story, recorded by Father Claude Allouez in 1669, was related

by his Pottawatomi hosts about Mackinac Island:

> [Mackinac Island is . .] the native Country of one of their gods, named *Michabous* — that is to say, "the great hare", Ouisketchak, who is the one that created the Earth; . . . They believe that Lake Superior is a Pond made by Beavers. . . . This God, while chasing a beaver in Lake Superior, crossed with a single stride a bay of eight leagues in width. In view of so mighty an enemy, the Beavers changed their location . . . and spread throughout the Rivers and Lakes of this entire Country. The people believe that it is this God who is the master of our lives, and that he grants life only to those to whom he has appeared in sleep.

Other Jesuits of the period also recorded stories of Michabous, from as early as 1637, varyingly noting the name as *Manabozho, Manabush, Michabou, Minabosho, Missibizi* and *Nanibozhu*, the "Great Hare" and first man. Other travellers recorded *Michibichi, Bichi bichy, Michapoux* and *Wapoos* among other variations. All these apparently dissimilar names have in common the essential element *ab*, also rendered *ap, ib, ip* and, by de Peyster, *aub*, meaning "white". In modern orthography the name would be given as *misa:bus*. Although often stated to mean "Great Hare", a good translation of *misa:bus* would be "Great White Animal".

Because of the interplay and effect of other factors and belief expectancies, it is not wholly possible to advance the synthetic belief model as the total answer to the questions posed about the Indian's behaviour. It is possible to include it substantially in a scenario in which the questions are answered. The following is offered, therefore, as an admitted exercise in imagination by the writer in approaching the events as recorded by de Peyster from the Indian's point of view.

It must have been startling, exciting, and, on reflection, flattering, to encounter a white beaver so close to Michabous' home on Mackinac Island, and well within Michabous' beaver hunting range. Could this be Michabous himself, appropriately manifested as a beaver on the island named for this animal, to appear before a beaver hunter? If the experience was valid, the future had become certain and wonderful, the Indian was to be blessed with a visitation of the highest Being, and granted "life". It was known that Michabous "grants life only to those to whom he appeared in sleep". Would there be a dream in sleep? Would there be communication and instruction? If there were, the reward would be most desirable and at the same time the authenticity of the experience and the identity of the manifested spirit as Michabous would be confirmed beyond further doubt or question. The power of expectancy and hope produced the desired dream and instructions. The instructions were simple and in

De Peyster collection, Merseyside County Museums, with permission

The colonel's beaver pelt.

two parts — go to Fort Michilimackinac — kill the Commandant of the fort. Compliance offered no difficulty. He had been to the fort many times, and as for killing British officers there, had he, or his older relatives, not already done this just fourteen years previously? Yet at this point some concern developed. Some essential element was missing. No obvious benefit would result. True, by going to the fort he would probably receive the customary token gift, but to kill a British officer in his own fort among his own soldiers surely promised a swift and least desirable result. Even if he was able to escape, his own people would seek revenge for the death of the man accepted as a friend. Something was wrong. Again he reviewed the clues by which he had surely identified Michabous. All his identification criteria were present beyond doubt. The answer must lie elsewhere, perhaps in his understanding of the instructions. This was a preferable explanation to believing that he was not, after all, receiving the most desirable and powerful of visions. Therefore, the answer was to demonstrate belief and compliance by at once setting out to obey the first instruction, and to pray during the while for further guidance and enlightenment as to the second.

He arrived at the fort no clearer in his mind. Perhaps he felt confused by the knowledge that here a mere fourteen years since he or his relatives had killed white soldiers. His belief in his mission told him that if there was any killing to be associated with it, it was the

beaver who would be killed, to provide some charm. How could he have misunderstood? Would Michabous speak again to bring clarity and peace to his troubled mind? Would Michabous retaliate if he did not obey? Was it possible to escape from Michabous' vengeance by going far away from the Straits of Mackinac which were his home?

At this point his thoughts were interrupted. He had loitered too long, his behaviour had become suspect, his preoccupation with his musings had become obvious. The Indian blurted out his anguish to his questioner, Joseph Ainsse, and was brought before the commandant himself to repeat the details. Now was his life at its lowest point, perhaps even about to be forfeited. Why had Michabous ignored his prayers for understanding? And then a miracle. The guidance and wisdom he so sorely sought came from the mouth of the very man he had thought he was to kill. Michabous was real! With gratitude he heard the officer explain that his proposed flight from Michilimackinac to escape Michabous would be a hopeless undertaking, because Michabous lives in dreams and cannot be escaped, but nor was it necessary. The misunderstanding was a simple one. It was the white beaver the Indian was meant to kill, to procure from it a magic charm. This was exactly what the Indian had hoped to hear. Conditioned by his beliefs, the officer's advice accorded exactly with what he had expected all along. Therefore it was the right thing to do. The British officer was the mouthpiece of Michabous. He had provided the needed guidance and corrected the misunderstanding. Certainly it was not he who was to be killed. Vastly relieved, the Indian resolved to return to Beaver Island to complete the task in season, and make all well. His gratitude to de Peyster as an understanding and forgiving man was added to his awe of him as the voice of Michabous. The situation called for the most magnificent supplicating gift. No less than the pelt would do. The Indian had less need of it than some other part of the beaver more suitable for his medicine pouch.

We can speculate that de Peyster was touched at the Indian's gratitude and offer, but had other considerations to answer. If he accepted the gift it would mean that the Indian would have to return to him. By this means he would learn how events had turned out. His position in the Indian country, dependant on the goodwill of the Indian people around him, would be enhanced and his command and his few soldiers thus made more secure. Then there was his personal curiousity to see something he had never seen before, a white beaver. De Peyster agreed in the form of an order to add his own authority to the Indian's mission. The needs of both men were to be satisfied by the same action.

How far the above hypothetical scenario matches the real events will never be known, but it does correspond with the events as left to us by de Peyster himself and the surviving evidence of the albino pelt now residing in the Merseyside County Museum, Liverpool. What must be assumed because it was not recorded is that some part of the beaver, perhaps a foot, the skull or just an incisor tooth, became part of the Indian's medicine bundle to be honoured and revered all his remaining days. It seems most likely that the British Commandant, Arent Schuyler de Peyster, later Colonel, was able to influence the Ojibwa Indian by making suggestions which accorded with the Indian's belief-conditioned religious expectancies. This allows the suggestion that de Peyster had a deep understanding of the Indians' most cherished beliefs as well as his demonstrated ability to compile a vocabulary of their language.

De Peyster claimed his white beaver was the only one "ever seen in that part of the country", a statement perhaps as true today as it was more than two hundred years ago. It was the last appearance of Michabous.

Charles Garrad, a past-President of the Ontario Archaeological Society, has written and lectured extensively on Canadian regional history.

Getting Along With Monty

MONTY
The Field Marshal 1944-1976
By Nigel Hamilton. McGraw-Hill, Toronto, 1986. 996 pp., illus. $34.95.

By Robert Saunders

Monty at the Canadian war memorial, Vimy.

When someone asked Field-Marshal Montgomery to name the three greatest commanders in history, he is said to have replied that "the other two were Alexander the Great and Napoleon."

This was vintage Montgomery, of course, but the comparison with Napoleon was not absurd. Montgomery may have lacked that indefinable touch of genius that marked Napoleon, but the two were alike in their ruthless ambition and their mastery of the craft of war. Next to Marlborough, Montgomery was the greatest battlefield commander in British history .

When he died in 1976 at the age of 88 his literary executors entrusted the task of writing the official biography to Nigel Hamilton, who has now completed his assignment in three massive volumes. In the first two volumes Mr. Hamilton's admiration for Montgomery sometimes betrayed him into adopting too shrill and partisan a tone, but the final volume is largely free of this defect and is by far the best-written and most interesting. Beginning in September of 1944 when Montgomery was made a field-marshal, it covers the last nine months of the Second World War and Montgomery's post-war career, first as chief of the Imperial General Staff and then as deputy supreme commander of NATO.

He was a great soldier, but he was a most unlikable man. He was vain, arrogant, abrasive and bullying and was, in a word, intolerable. It would appear that he was particularly maladroit in his handling of senior Canadian officers. Perhaps, as has been suggested, he regarded them as "colonials" at the beck and call of Britain and British officers. Certainly he was openly contemptuous of the Canadian commander, Lt.-Gen. H.D.G. Crerar.

Their first encounter in England in 1942 had been inauspicious. Travelling in Montgomery's car, Crerar had been foolhardy enough to pull out a pack of cigarettes and offer one to Montgomery. Montgomery immediately ordered the driver to stop the car. "Smoke if you must," he told the startled Crerar, "but if you do, I will get out of the car." This is not the way that lasting friendships are cemented.

Later on, during the Italian campaign, there had been a sharper and more unpleasant clash. Crerar indicated that he wanted to visit Montgomery, who had Canadian troops under his command, only to receive the reply that Montgomery had no wish to see him and that he was to stay out of the way. Naturally enough, Crerar was furious.

In his third volume, Mr. Hamilton recounts the climax of this long-simmering mutual animosity. The background was this. On 1 September 1944, the town of Dieppe fell to

Canadian troops. This was where so many Canadians had died two years earlier when they were trapped on the beaches during the ill-fated raid of 19 August 1942. It seemed fitting to hold a religious service at the Dieppe cemetery to honour the Canadian dead. There was to be a formal march-past of the 2nd Canadian Division and Crerar was to be present to take the salute.

Mr. Hamilton completely fails to realize the significance of Dieppe for Canadians. There is a touch of scorn in his remark that Crerar "was suffering acute dysentery and high blood pressure and had become very emotional about honouring the Canadian dead of 1942." Crerar was not the only one, then or since, who remembered with emotion that tragic and murderous fiasco.

On 2 September Crerar received a signal from Montgomery ordering him to attend a meeting at Montgomery's tactical headquarters at 1300 (i.e. 1 p.m.) the next day, which was the day set for the Dieppe parade. Crerar replied:

"Unless operational situation requires me request meeting at 1700 not 1300. At noon arranged to be present formal religious service and parade and from Canadian point of view desirable I should be there. Will conform to your wishes. Advice required."

As the hours passed and no reply came to this message, Crerar assumed that his request for a delay in the meeting had been granted. However at 2:40 p.m. of 3 September in the middle of the Dieppe ceremonies — indeed, just as the march-past was to begin — he was given a message from Montgomery saying that it was essential that he be at the meeting at headquarters. As soon as he decently could, he left the Dieppe service and flew to headquarters where he found the meeting over and the field-marshal in a rage.

The confrontation that followed was, according to Mr. Hamilton, one of the most abrasive interviews Montgomery ever conducted in the field. Crerar's own account of this, written shortly afterwards, is summarized by Mr. Hamilton but the full text is in Col. C.P. Stacey's history of the Canadian army in the war.

Crerar wrote that the field-marshal addressed him abruptly, asking him why he had not been present at the meeting. Crerar tried to explain about the Dieppe parade but Montgomery brushed this aside, saying that such things were of no importance compared with getting on with the war.

Dieppe may have been a sore point with Montgomery anyway. He had taken part in the initial planning for the raid in 1942, although it is only fair to add that he had left to take up his North African command before the worst blunders in planning were made.

Monty "realized at once that he had made a big mistake . . ."

Mr. Hamilton omits Crerar's spirited rejoinder. "There was a powerful Canadian reason why I should have been present at Dieppe that day," he said. "In fact, there were 800 reasons — the Canadian dead buried in Dieppe cemetery."

Montgomery ignored this and, with mounting fury, he again demanded to know why Crerar had deliberately disobeyed his explicit orders. Then, in his anger, he made a tactical error. "Such a situation," he told Crerar," could only result in a decision that our ways must part." In other words, he threatened to have Crerar dismissed from his command.

Montgomery had overplayed his hand and Crerar was quick to seize the advantage. "I replied that I assumed he would at once take this up through higher channels and that I, in turn, would at once report the situation to my government."

The field-marshal realized at once that he had made a big mistake. Mr. Hamilton simply says that Montgomery recognized the "difficulties involved" in dismissing the senior officer of a Commonwealth nation, but there was more to it than that. With the arrival of Eisenhower in Europe the month before, the field-marshal, much to his chagrin, was no longer in overall command of all the Allied ground troops in Europe. He desperately wanted to regain this position and he knew that an open breach with the Canadian commander would put paid to any hopes of this happening.

Suddenly, therefore, he was all sweet reasonableness. The incident was closed and forgotten, he said. Now it was Crerar's turn to press home the attack. He did not want the incident closed, he said, but "desired that it be properly ventilated through official channels."

Montgomery knew that that would be a losing fight, however, and he began to discuss with Crerar what had taken place at the meeting the Canadian had missed. A few days later, Crerar received a handwritten note from the field marshal.

"I am sorry I was a bit rude the other day," he wrote. "I was annoyed that no one came to a very important conference. But forget about it and let us get on with the war. It was my fault." Mr. Hamilton leaves out those last four words.

Montgomery does not emerge from the incident with much dignity or credit. He was an exceedingly difficult man to get along with. When his brother, Brian, published an admiring book about his renowned sibling, the field-marshal was not pleased. "You make me out to be altogether too nice a chap", he complained and he added emphatically, "I am *not* a nice chap". It is hard to disagree with this assessment.

Whatever quirks of personality he may have had, however, weigh as nothing in the balance when his achievements are reckoned up. He was the man for the hour. Perhaps in a kinder, better world he would have been out of place, but in a world where thugs and madmen threatened every value we cherish, we can be glad that Bernard Montgomery was fighting on the side of righteousness.

Robert Saunders is an editorial writer with the Winnipeg Free Press and an enthusiastic student of military history.

Old King Cotton

THE WHEAT KING
Selected Letters and Papers of A.J. Cotton, 1888-1913

Edited and Introduced by Wendy Owen. The Manitoba Record Society, Winnipeg, 1985. 166 pp., illus. $30.00 with membership in the society.

The Swan River Valley of Manitoba was, at the beginning of this century, on the frontier of agricultural settlement. Before that time, the lands along the rail lines of the C.P.R. and several smaller companies that criss-crossed the southern plains from the American border northward to Dauphin had begun to be settled by the "men in sheepskin coats" then being so actively sought by immigration officers and the C.P.R. at the behest of Interior Minister Clifford Sifton. Then, as the tide of immigration pressed northward, Sifton decided in 1898 to open the Swan River Valley for settlement. A rail link to Dauphin was completed within the year, and a great rush of homesteaders and land speculators began, even ahead of the arrival of the steel in Swan River.

Among the first to investigate this new era and file applications for purchase was Almon James Cotton, whose copious correspondence with politicians, government representatives, personal friends and potential immigrants has been preserved for posterity and forms the subject matter for *The Wheat King*, the latest publication of The Manitoba Record Society.

Like many of Manitoba's first settlers, Cotton had come from a farm in southern Ontario. His early farming efforts in Manitoba, as a renter of land near Treherne, were eminently successful. Within a few short years he was able to pay off the debts he had incurred in Manitoba as well as those he had left behind in Ontario, with the princely sum of $18,000 remaining to be loaned to local borrowers. And in recognition of his farming expertise, as evidenced by the production in a single year of 19,000 bushels of number one hard wheat, he received from his peers the title of "Wheat King". But when the shrewd and enterprising Cotton began, as a prospective purchaser, to look for land for the eventual use of his four young sons, he soon concluded that land prices in the south were already too high. Hence the lure of the about-to-be-opened Swan River Valley where good land could be had at very reasonable cost.

Trekking northward in a covered wagon in 1898, Cotton arrived at the banks of the Swan River. "... then I saw land that would be the pride of any farmer," he later wrote, "land that the white man had scarcely trod ... soil unsurpassed in its richness ... land undulating and watered by innumerable streams."

Reviewed by Charles W. Anderson

And, he continued, "I then camped on the banks of the Swan River and prospected on horseback and feasted my eyes on the land, and I picked out 2,400 acres of the finest land in the valley".

The chronicle of these pioneer exploits, the *Wheat King* collection consists of more than 90 letters and other writings of A.J. Cotton. Together with the excellent 30-page editorial introduction by University of Manitoba graduate history student Wendy Owen, the Cotton letters provide an interesting and informative insight into early farm life in Manitoba and, in particular, the pioneer days in the Swan River Valley. The range of topics discussed runs the gamut from the purely agricultural through the imperfections of the grain handling and grading systems to politics, religion and the temperance movement.

Although Cotton's success was doubtless due in large measure to his innate abilities as a farmer and a manager, he was always ready in his writings to credit the West for much of his good fortune. Indeed he was very much a "booster", a role he played effectively as an unpaid promoter of Western immigration. His name became associated with materials distributed by the Manitoba Immigration Department to potential immigrants, and many of his letters were written in reply to the inquiries of prospective homesteaders, advising them about farming methods and prospects, and usually including some reference to the need to work hard to ensure success in this new land of opportunity. But Cotton's boosterism wasn't confined to letter writing; he travelled widely throughout eastern Canada, to Chicago, and through the eastern United States, "bringing the Canadian North West to the front," as he put it.

The Cotton letters reveal much about the man himself. A community leader, a devout Methodist and a strong temperance advocate, Cotton managed to bring together all

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of these interests in a brief political fling when he was a candidate in the provincial election of 1903 on a combined Liberal and Prohibitionist ticket. Despite his popularity in the community, Cotton lost the race, due at least in part to the presence in Swan River of a specially chartered Conservative rail car laden with money and whisky which were freely dispensed to the electors. At this point Cotton withdrew from politics forever, ruefully declaring "it is a hard thing to be a politician and a Christian at the same time."

Other Cotton letters relate to the need for telephones, more box cars, an experimental farm at Swan River, and better postal service, including a post office in the newly-founded Village of Kenville. Established on Cotton's own section following the construction of a new rail line running southwest from Swan River, Kenville was very nearly named for Cotton. But despite the name selected by the railway, Kenville was Cotton's town, and much of his energy following his political defeat was devoted to the promotion of the village that never quite lived up to the expectations of its first citizen.

The last letter in the *Wheat King* collection is dated 17 March 1913, at which time A.J. Cotton was in his 55th year. Although he apparently lived until 1942 there is no explanation in Wendy Owen's introduction for the fact that no later letters appear. Perhaps the self-copying "letter-press" books used by Cotton for his correspondence were no longer available or, if they were available, perhaps he ceased to use them. In any event, the editor does provide one or two details of Cotton's later activities, including his appointment to the University of Manitoba's Board of Governors in 1917.

Charles W. Anderson is a Winnipeg agrologist and writer. The Manitoba Record Society's publications can be obtained by writing to the Society at 401 Fletcher Argue Building, University of Manitoba, Winnipeg, Manitoba, R3T 2N2.

A People Changed

BY W.A. SLOAN

THE SUBARCTIC INDIANS AND THE FUR TRADE 1680-1860
By J.C. Yerbury. University of British Columbia Press, Vancouver, 1986. 189 pp., maps and charts. $22.95.

J.C. Yerbury joins a growing community of scholars in documenting profound changes which occurred to Athapaskan speaking people in the Canadian subarctic early in the contact period. A model for change is developed which indicates major adaptation and ecological transformation early in the period of the fur trade, particularly in the years of competitive trade, 1770-1821. Even in the period before trading posts were established, Yerbury shows economic adjustments had begun to attach Athapaskans to European commerce. Later, in the time of trading post dependence after 1821, when change had slowed, the proliferation of commodities and manipulation by the monopoly fur trade concern brought further dependence on an immediate post region, thus making the fur trade and its society a necessity. This challenges the frequently articulated view that there was cultural continuity from the pre-contact period until at least the late nineteenth century. Yerbury also contends that the simpler, more fluid nature of Athapaskan societies to the east of the Mackenzie River was not, as has been suggested, a traditional feature, but the result of new circumstances stemming from contact with the European fur trade.

Yerbury attempts to integrate archaeological, linguistic, ethnographic and historical data to describe these changes. In suggesting the use of a generalized dating scheme, problems are noted (p. 11), but then a model is presented which generalizes by era and specific periods (p. 13); this model and others which apply to all Canadian Athapaskan groups seem as much to cloud as to illuminate the varied and disparate changes which occur.

Fur trade history is treated in considerable detail, though the rich documentation is marred by failure to adhere to a tightly organized analysis and balance between generalization and detail (pp. 83-4). Some interesting new facts are presented such as the continuation of female infanticide (pp. 109, 120, 156-9) well into the nineteenth century as a means of population control. Other interesting restatements of the variety of adjustments middlemen undertook to the extension of the trade are given; for example, the moves by Chipewyans and Yellowknives in the 1790s, and the Dogrib-Yellowknife war in the 1820s. Explanations are not always complete; for example, why did Dogribs and Slaveys cease travelling to the Bay between 1717-1786?

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(p. 58); after the killing of Duncan Livingston in 1796, no mention is made of the possibility that the Beaver/Slavey may have been trying to develop and protect their middlemen trade (p. 60); who were the Chipewyan in conflict with as they expanded in the 1760s? Little is said about Indian recalcitrance in the decision of the Northwest Company to withdraw from posts below Great Slave Lake in 1814 (p. 81). (See Sloan 1979). Only brief mention is made of the attempts to cause Indian bands to specialize as provisioner/hunters, or trappers, after 1821. He (p. 94-5) (p. 103) does note the decline of large mammals in the mixed wood zone of the rich Peace and Athabasca River valleys by 1821, but does not tie these facts into the reallocation of bands, resources, and function after that date by the Hudson's Bay Company.

A few errors detract. David Thompson was a boy of 16 at Hudson House in 1786 when he is said to be founding Manchester House (p. 64), a post to which he was assigned two years later. Alexander Mackenzie's Journal at Great Bear Lake was kept for 16 October 1805 - 16 June 1806, not 1805. Proof readers have overlooked errors in spelling of Morantz (p. 7), and contiguous, on the same page.

This book presents a number of interesting ideas and a mass of rich detail about the subarctic Athapaskans. Unfortunately the detail and analysis are not always subjected to a disciplined central focus.

W.A. Sloan teaches at Selkirk College in British Columbia and has written extensively on the fur trade.

Recorder of History

By Abraham Arnold

KURELEK
A Biography

By Patricia Morley. Macmillan, Toronto, 1986. 338 pp., illus. $34.95.

In undertaking to review Patricia Morley's biography of Kurelek I find myself in the unusual position of writing about a book in which I am part of the subject matter. Therefore one of the tests of this work for me is to consider how well the author dealt with the source material I provided.

What should be said first, however, is that Morley has succeeded in establishing Kurelek as an authentic unhyphenated Canadian who ultimately was able to integrate his ethnic background with his religious motivation and to rise above the emotional torment he suffered for much of his life. And he was an artist of undoubted talent and ability, even if certain art moguls looked askance at the products of his palette.

The foregoing comment is motivated by the recollection that in 1980 Roger Selby, former director of the Winnipeg Art Gallery, would agree to organize a Kurelek exhibit only for *Oseredok*, the Ukrainian Cultural and Educational Centre. And in introducing that exhibit Selby could not bring himself to describe Kurelek as any more than "one of Canada's best known Ukrainian artists."

Morley's account of Kurelek's family history, from the old country to Alberta, his crucial years at Stonewall, Manitoba, and his "lonely road to creativity" show that his growing up experience was in many ways comparable with the experience of children of other immigrant farm parents. It is my impression that only when Kurelek started out on his "bold venture" in London, did his life experience become truly unique and individualistic.

Most writers and commentators on Kurelek tend to emphasize those things which set him apart from other people. Patricia Morley, even if her biography is not sufficiently definitive for some reviewers, gives us a portrait of the artist which makes it possible to understand why many people did befriend him. What is perhaps more important, we are given some insight into why so many people did, in fact, identify with his art and with one aspect or another of his life experience.

Many sons and daughters of western farm homesteaders have broken with their peasant ancestry. Many Canadians have shared the experience of being emotionally tormented because of a difficult paternal relationship. Many have shared the experience of prairie winters and summers which Kurelek painted to such great acclaim. And sufficient numbers of people have sought redemptive solace in religion to be able to relate positively to Kurelek's religious experience.

At this point I hasten to make it clear that my own identification with Kurelek relates to none of the above, but rather to the artist as a contributor to the recording of Canadian history. It is in this regard that I must put biographer Morley to the ultimate test.

First it should be made clear that my positive appreciation of Kurelek's painting of Canadian history, particularly through his various series on Canada's ethno-cultural

A MESSAGE TO OUR READERS

From time to time *The Beaver* exchanges its mailing list with other publications. As a subscriber to *The Beaver* you may request that your name be excluded from such exchanges by writing to *The Beaver*, Circulation Department, 77 Main Street, Winnipeg, Manitoba, Canada R3C 2R1.

groups, does not extend to his book on Christian religious history illustrating the Passion of Christ according to St. Matthew. Morley has somewhat misrepresented, inadvertently to be sure, her conversation with "the Arnolds" on the subject of Kurelek's *Passion of Christ* (p. 263). Although the latter work was published in 1975 (the book itself is undated) it did not cause any strain during our collaboration on the artist's Jewish series and on the book *Jewish Life in Canada*. This is because we did not encounter the Passion book until Bill sent it to us in late 1976 after the book tour for *Jewish Life*. My wife felt that it was insensitive of Bill to send us this work because it is based on a chapter of the New Testament gospels which has been blamed for fomenting anti-semitism. While I was indeed satisfied that Bill did not see the Passion as anti-Jewish, nonetheless it could still be interpreted that way by others.

It is noteworthy that a little later Morley cites Father Guy Bruneau, who, after receiving a copy of Kurelek's Passion book suggested that it "emphasized the aggressiveness of the torturers far more than the joy and hope of the Resurrection" and that if Kurelek had chosen the Gospel of John rather than Matthew "he would have had more scope for joy" (p. 266).

Kurelek himself recognized in the introduction to his Passion book that "Some readers may honestly be unable to believe" in the "Passion story." He said he could "appreciate and respect" that inability "since I was once in the same position myself." And then there is his introductory comment to the book we co-authored where he said that even though he was convinced that Christ was the Messiah the Jews were expecting it "doesn't make sense . . . that the descendants of the Jews of Christ's time should be persecuted. It is one thing to disagree with someone; it is quite another to force him to accept your beliefs."

The foregoing is one of several statements made by Kurelek which lead me to suggest that some commentators tend to overstate his role as a proselytizer. Patricia Morley has, in my view, not dealt adequately with this question. In her chapter "The Dark Prophet" where she speaks of the artist's "proselytizing fervor," she cites the influence on Kurelek of Douglas Hyde, an ex-communist convert who suffered imprisonment to make converts to Catholicism (p. 181). It is clear however that Kurelek was influenced by Hyde's writing rather than his direct action.

Kurelek put his proselytizing message into his paintings as strongly as he could, but he was surely aware that he himself could do little to bring about direct conversionary results. In discussing his didactic paintings, Morley notes rather casually that Kurelek knew people were free to ignore his work.

In her chapter on the artist's "Odyssey toward ethnic awareness" Morley provides a useful account of how he came back to an appreciation of his Ukrainian background. However she overlooks one of the most significant comments in his 1973 address to the Canadian Ethnic Studies Association where he said people were free to pick and choose their own conclusions from his ideas.

Finally Morley suggests Kurelek's disappointment at the lack of interest in some of his ethnic painting "suites" was so great that he could not be persuaded to reconsider his decision to do no more such paintings. In fact Kurelek, at our last meeting in the spring of 1977, had agreed to come to Winnipeg to do a presentation on ethnic history through art. That event, scheduled for a joint meeting of the Manitoba Historical Society and the Jewish Historical Society, could well have been a point of revival for his ethnic project. Regrettably he died a month before his slated visit to Winnipeg.

Some criticism has been directed at the Morley book for failing to reproduce more of the paintings which she discusses in the text. The blame for that omission must undoubtedly be directed at the publisher rather than the author. Besides writing a comprehensive biography, Morley has literally added to the broad picture of the artist by presenting a good selection of photographs, many of them from Kurelek's personal albums and some which she took herself of the places where he lived and worked.

Abraham Arnold's last article for The Beaver examined William Kurelek as a multicultural artist.

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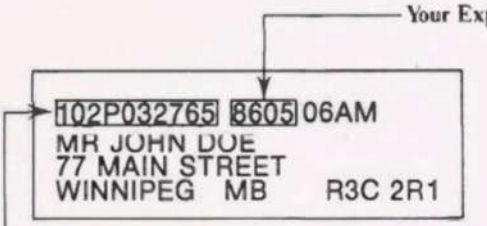
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Letters to and from The Editor

The Inuit As Hunters And Managers

We, the Inuit of the Arctic, live the life of subsistence hunters, fishermen and trappers.

We have, and always will, depend on animals for survival. From the earliest age possible every Inuk child is taught about this inherent characteristic of our lifestyle. For many centuries we have depended upon our renewable resources for survival. We will continue to do so for many centuries to come. We are the greatest managers of our renewable resources within our Circumpolar homelands. For example, we do not kill female narwhal with calves and we have never wiped out any species of animals.

Both North America and Europe support large populations which have been conditioned to think that meat comes from the grocery stores, clothes come from the textile mills and leather shoes come from Italy. Through the urbanization of man and the sophistication of society these people have acquired this false perspective. They no longer appreciate the origins of such basic necessities.

For years the Inuit have enjoyed an unmolested lifestyle of nomadic hunting. Suddenly it is necessary to defend our lifestyle and to fight for our very survival against the Europeans who brought us into the fur industry in the first place.

It has never been within the dictates of our culture to export our ideas or our ways of life, but today it seems to me that we must provide educational "enlightenment" to southern Canadians and Western Society. As we do not have the funds, manpower or energy to accomplish this, we must depend on news media to provide the necessary exposure. Most of us who live in the Circumpolar community (in Greenland, Alaska and Canada) expect to continue to live here for the rest of our lives. We will continue to hunt caribou, seals, walrus, beluga and narwhal for livelihood purposes.

This is the lifestyle we choose and we have no intention of adapting to a welfare society (as recommended by some animal lovers and animal rights activists). According to Stephen Best of the International Wildlife Coalition and Ontario Humane Society in Toronto, Ontario, we native people should become "full Canadians". As we natives are the *original* Canadians (residing here long before Mr. Best's ancestors) I felt it more appropriate to extend a similar invitation to him. "Welcome to Canada" Mr. Best and should you desire to stay, come and talk to me and my people about our traditions and culture. We'd be more than happy to discuss our future plans with you on issues such as the environment, renewable resources and conservation.

". . . a new form of Colonialism in Canada . . ."

I for one am very tired of the fact that people such as Stephen Best, Patrick Moore, Brigitte Bardot, Stanley Johnson (Member of the European Parliament in Strassbourg, France) and others are never around to listen to the native people when we discuss our conservation management plans for the future. Perhaps they could learn something from us.

During the recent Inuit Circumpolar Conference in Kotzebue, Alaska (held 28 July - 3 August 1986) a resolution was unanimously passed giving full support for the efforts of Indigenous Survival International. I.S.I. is an aboriginal organization with representatives from Alaska, Canada and Greenland. It was formed to offer reasoned and positive action for the protection of indigenous hunting rights. I.S.I. lobbies successfully in the international arena to meet the forces of various groups whose policies violate the rights of all aboriginal peoples to maintain their traditional way of life. The I.C.C. resolution further condemns the actions of animal rights and protection groups wherever and whenever they move to reduce or destroy the right of Inuit and other aboriginal peoples to harvest resources for their cultural, economic and spiritual survival.

Inuit in Nunavut (eastern Northwest Territories) have already negotiated a Wildlife Agreement with the Government of Canada. It confirms that the Inuit have a right to discuss and negotiate any proposals or plans made by international governments which may affect the Inuit in regards to renewable resource management. We should have a final say in any scientific studies or recommendations.

Finally, we native people will not apologize to anyone in the international community for being aboriginal people. We will never apologize to anyone for being subsistence hunters, fishermen and trappers.

We are again facing a new form of colonialism in Canada, one which is both frustrating and uncaring from the indigenous people's perspective.

Peter Ernerk,
President,
Keewatin Inuit Association,
Rankin Inlet, N.W.T.

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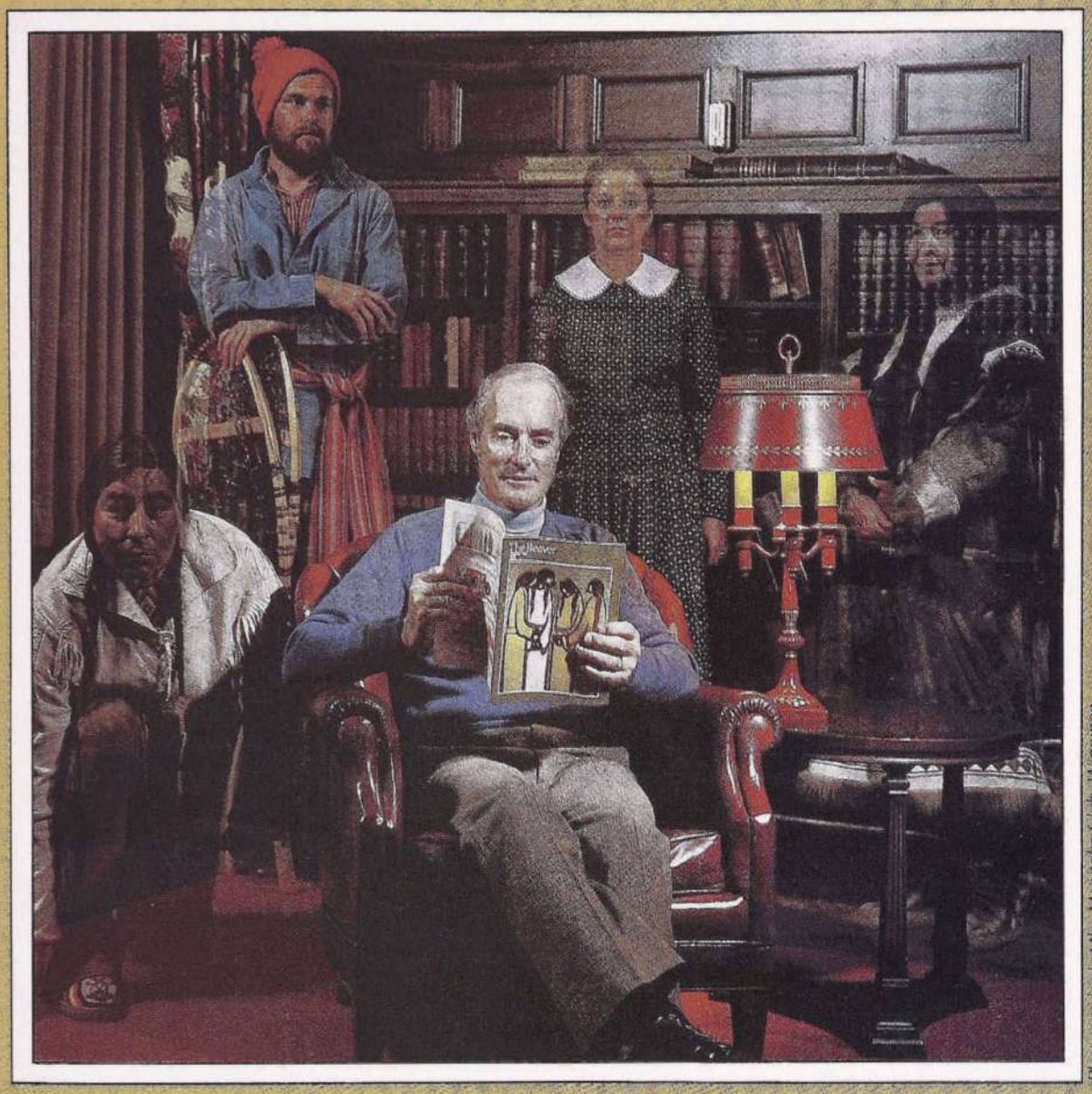

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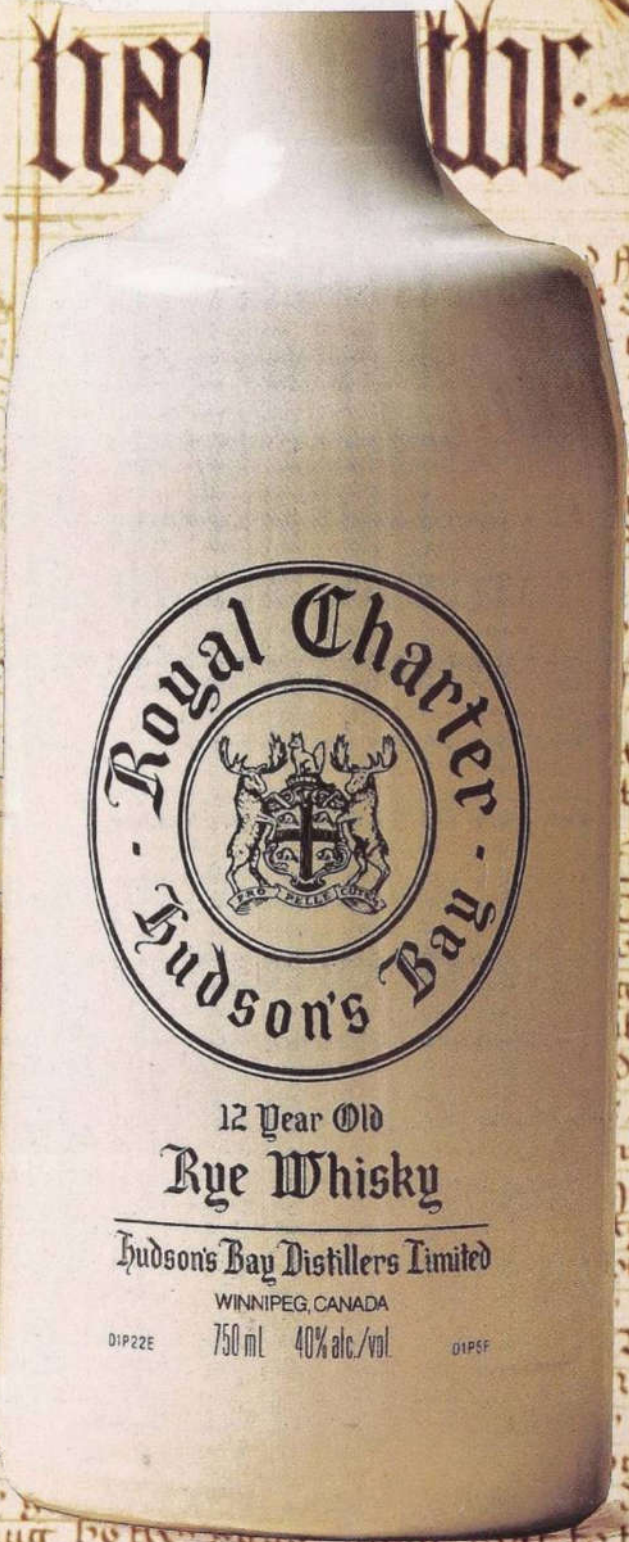

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